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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

SUBPART B—LOAN LIMITATIONS

PART 311—BASIC REGULATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; MASSACHUSETTS

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth. The average value and the investment limit heretofore established for said county, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average value and the investment limit set forth below for said county.

MASSACHUSETTS

County	Average value	Investment limit
Worcester	$15,000	$12,000

Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 18th day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-11418; Filed, Sept. 21, 1951; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 934—MILK IN THE LOWELL-LAWRENCE, MASS., MARKETING AREA

ORDER AMENDING THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE LOWELL-LAWRENCE, MASSACHUSETTS, MARKETING AREA

§ 934.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* (1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(4) All milk and milk products, handled by handlers, as defined in this order, as amended, and as hereby further amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expenses, 4 cents per hundredweight or such amount not exceeding 4 cents per hundredweight as the Secretary may prescribe, with respect to all his receipts of milk from producers (including such handler's own production), and his receipts of outside milk, except his receipts of outside milk from other Federal

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FEDERAL REGISTER

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CODIFICATION GUIDE

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order plants; and the amount per hundredweight by which the rate applicable to milk received from producers exceeds the rate of assessment applicable under the other Federal order, on his receipts from other Federal order plants.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order, as amended, effective October 1, 1951. Such action is necessary, in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Any further delay in the effective date of this order amending the order, as amended, will impair the ability of plants to qualify as pool plants and will seriously threaten the orderly marketing of milk in the Lowell-Lawrence marketing area. The provisions of the said order are well known to handlers, the public hearing having been held on April 11 and 14, 1951, the recommended decision having been published in the FEDERAL REGISTER (16 F. R. 7025; F. R. Doc. 51–8324) July 20, 1951, and the final decision having been executed by the Secretary on September 7, 1951. Therefore, reasonable time, under the circumstances has been afforded persons affected to prepare for its effective date, and it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (see section 4 (c) Administrative Procedure Act, Public Law 404, 79th Cong., 60 Stat. 237).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order, as amended, and as hereby further amended) of more than 50 percent of the volume of milk covered by this order, as amended, and as hereby further amended, which is marketed within the said marketing area, refused or failed to sign the marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during June 1951 (said month having been determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 934.1 (b) by adding to the list of place names "Haverhill, Groveland, Merrimac, and West Newbury".

2. Delete paragraph (d) of § 934.12.

3. Renumber paragraphs (e), (f), and (g) of § 934.12 as paragraphs (d), (e), and (f), respectively.

4. Amend § 934.21 by adding a sentence as follows: "In determining whether a city plant has disposed of the required 10 percent of its receipts as Class I milk in the marketing area, the total quantity of fluid milk products, other than cream, moved from that plant to another city plant which is a regulated plant shall be considered as a disposition of Class I milk in the marketing area up to the quantity of Class I milk disposed of in the marketing area from the other plant."

5. In § 934.22 (b) delete the opening language, "Any country plant which is a pool plant continuously from the effective date of this subpart through February 1951 and any country plant which thereafter", and substitute therefor the following: "Any country plant which".

6. Amend § 934.40 (c) (2) by deleting the present language and substituting therefor the following:

(2) For each of the States of Maine, Massachusetts, New Hampshire, and Vermont, compute the simple average, on a monthly equivalent basis, of the following farm wage rates reported by the United States Department of Agriculture: The rate per month with board and room; the rate per month with house; the rate per week with board and room; the rate per week without board or room; and the rate per day without board or room. To convert the weekly rates and the daily rate to monthly equivalents, multiply the weekly rates by 4.33 and the daily rate by 26. From the simple averages, compute a combined weighted average monthly rate, using the following weights: Maine, 10; Massachusetts, 6; New Hampshire, 7; and Vermont, 77. Divide the weighted average monthly rate by 0.6394, and multiply the result by 0.4.

7. Delete § 934.41 and substitute therefor the following:

§ 934.41 *Class II price at city plants.* The Class II price per hundredweight at city plants shall be determined for each month pursuant to this section.

(a) Divide by 33 the weighted average price per 40-quart can of 40 percent bottling quality cream, f. o. b. Boston, as reported by the United States Department of Agriculture for the month, multiply by 0.98, and multiply the result by 3.7. If the cream price described above is not reported as indicated, an equivalent determined as follows shall be used in lieu of such cream price: Compute the simple average of the differences between the cream prices reported for the latest three months and the monthly averages of the daily prices, using the mid-point of any range as one price, for Grade A (92-score) butter at wholesale in the Chicago market, as reported for the same months by the United States Department of Agriculture, times 1.22, and times 33. Then add to this amount the average of the butter prices described above multiplied by 33 and 1.22 for the current pricing month.

(b) Multiply by 7.85 the simple average of the prices per pound of roller process and spray process nonfat dry milk solids for human consumption, in carlots, f. o. b. Chicago area manufacturing plants, as reported by the United States Department of Agriculture for the period from the 26th day of the preceding month through the 25th day of the month during which such milk is delivered.

(c) Add the results obtained in paragraphs (a) and (b) of this section, and from the sum subtract the amount shown below for the applicable month.

Month:	*Amount (cents)*
January and February	67
March and April	79
May and June	85
July	79
August and September	73
October, November, and December	67

(d) For each month following the first month for which the amount determined pursuant to this paragraph is greater than 5 cents, the amount to be subtracted pursuant to paragraph (c) of this section shall be reduced by any plus amount determined as follows:

(1) Compute the simple average of the prices reported by the United States Department of Agriculture for milk for manufacturing purposes, f. o. b. plants United States, for each of the 12 months ending with the preceding month, as adjusted to a 3.7 percent butterfat basis by using the butterfat differential applicable to § 904.63 of the Boston order for the respective months.

(2) Compute the simple average of the Class II prices effective under the provisions of the Boston order in the 201–210 freight mileage zone for the same 12 months.

(3) Determine the amount, adjusted to the nearest one-half cent, by which the average price computed pursuant to subparagraph (1) of this paragraph, exceeds the average price computed pursuant to subparagraph (2) of this paragraph.

8. Amend § 934.50 by adding a new paragraph (g) as follows:

(g) Subtract any amount which the handler is required to pay on such milk pursuant to § 904.66 (b) of the Boston order.

9. Amend § 934.51 (a) by deleting the present language and substituting in lieu thereof the following:

(a) Combine into one total the respective net values of milk, computed pursuant to § 934.50, and payments required pursuant to §§ 934.65 and 934.66 for each handler from whom the market administrator has received at his office, prior to the 11th day after the end of such month, the report for such month and the payments required pursuant to §§ 934.61 (b), 934.65, and 934.66 for milk received during each month since the effective date of the most recent amendment to this subpart.

10. Amend § 934.52 (c) by deleting the period and adding in lieu thereof the following: "because of failure to make reports or payments pursuant to this subpart."

11. Amend § 934.63 by deleting the factor "33.48" and substituting therefor the factor "33."

12. Add to § 934.63 the following: "If the cream price described above is not reported as indicated, an equivalent determined as follows shall be used in lieu of such cream price: Compute the simple average of the differences between the cream prices reported for the latest three months and the monthly averages of the daily prices, using the midpoint of any range as one price, for Grade A (92-score) butter at wholesale in the Chicago market, as reported for the same months by the United States Department of Agriculture, times 1.22 and times 33. Then add to this amount the average of the butter prices described above, for the period between the 16th day of the preceding month and the 15th day inclusive of the month during which such milk is delivered, multiplied by 33 and 1.22."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 19th day of September 1951, to be effective on and after the 1st day of October 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51–11512; Filed, Sept. 21, 1951; 8:54 a. m.]

PART 939—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

DETERMINATION RELATIVE TO EXPENSES AND RATE OF ASSESSMENT FOR 1951–52 FISCAL PERIOD

On August 28, 1951, notice of proposed rule making was published in the FEDERAL REGISTER (16 F. R. 8682) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1951–52 fiscal period under Marketing Agreement No. 89, as amended, and Order No. 39, as amended (7 CFR Part 939) regulating the handling of Beurre D'Anjou, Beurre Boc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 950.204 *Expenses and rate of assessment for the 1951–52 fiscal period*—(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Control Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning July 1, 1951, will amount to $22,895.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles pears shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order, is hereby fixed at six mills ($0.006) per standard western pear

box of pears, or its equivalent of pears in other containers or in bulk.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) in accordance with the provisions of said amended marketing agreement and order, the rate of assessment is applicable to all pears shipped during the 1951–52 fiscal period; (2) such shipments are subject to the regulatory provisions of pear Order 4 (7 CFR 939.304; 16 F. R. 7873); (3) the provisions hereof do not impose any obligation on a handler until such handler ships pears; and (4) it is essential that the specification of the assessment rate be issued immediately so that the aforesaid assessments may be collected and thereby enable said Control Committee to perform its duties and functions in accordance with said amended marketing agreement and order.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

As used in this section, the terms "handler," "handles," "shipments," "shipped," "pears," "standard western pear box," and "fiscal period" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 19th day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-11483; Filed, Sept. 21, 1951; 8:56 a. m.]

PART 940—PEACHES GROWN IN THE COUNTY OF MESA IN COLORADO

DETERMINATION RELATIVE TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1951–52 FISCAL YEAR

Notice was published in the August 23, 1951, daily issue of FEDERAL REGISTER (16 F. R. 8471) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1951–52 fiscal year under the marketing agreement, as amended, and Order No. 40, as amended (7 CFR Part 940) regulating the handling of peaches grown in the County of Mesa in Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 940.203 *Expenses and rate of assessment for the 1951–52 fiscal year*—(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for the maintenance and functioning of such committee, in accordance with the provisions thereof, during the fiscal year beginning March 1, 1951, will amount to $1,200.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles peaches shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at one cent ($0.01) per bushel basket of peaches, or its equivalent of peaches in other containers or in bulk, shipped by such handler during said fiscal year.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) the rate of assessment in accordance with the provisions of the amended marketing agreement and order, is applicable to all peaches shipped during the aforesaid fiscal year; (2) such shipments are subject to the regulatory provisions of Peach Order 1 (7 CFR 940.303; 16 F. R. 7637); (3) the provisions hereof do not impose any obligation on a handler until such handler ships peaches; and (4) it is essential that the specification of the assessment rate be issued immediately so that the aforesaid assessments may be collected and thereby enable said Administrative Committee to perform its duties and functions in accordance with said amended marketing agreement and order.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

As used in this section, the terms "handler," "shipped," "shipments," "peaches," and "fiscal year" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 19th day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-11482; Filed, Sept 21, 1951; 8:55 a. m.]

PART 950—PEACHES GROWN IN UTAH

DETERMINATION RELATIVE TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1951–52 FISCAL YEAR

Notice was published in the August 23, 1951, daily issue of the FEDERAL REGISTER (16 F. R. 8481) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1951–52 fiscal year under the marketing agreement and Order No. 50 (7 CFR Part 950) regulating the handling of peaches grown in Utah, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 950.201 *Expenses and rate of assessment for the 1951–52 fiscal year*—(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal year beginning May 1, 1951, will amount to $3,050.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first ships peaches shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said marketing agreement and order is hereby fixed at three quarters of one cent ($0.0075) per bushel basket of peaches, or an equivalent quantity of peaches in other containers or in bulk, shipped by such handler during said fiscal year.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) in accordance with the provisions of said marketing agreement and order, the rate of assessment is applicable to all peaches shipped during the 1951–52 fiscal year; (2) such shipments are subject to the regulatory provisions of Peach Order 1 (7 CFR 950.301; 16 F. R. 7638); (3) the provisions hereof do not impose any obligation on a handler until such handler ships peaches; and (4) it is essential that the specification of the assessment rate be issued immediately so that the aforesaid assessments may be collected and thereby enable said Administrative Committee to perform its duties and functions in accordance with said marketing agreement and order.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

As used in this section, the terms "handler," "ships," "shipped," "shipments," "peaches," and "fiscal year" shall have the same meaning as when used in said marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 19th day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-11485; Filed, Sept. 21, 1951; 8:56 a. m.]

PART 951—TOKAY GRAPES GROWN IN CALIFORNIA

DETERMINATION RELATIVE TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1951-52 SEASON

Notice was published in the August 3, 1951, daily issue of the FEDERAL REGISTER (16 F. R. 7627) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1951-52 season under the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951) regulating the handling of Tokay grapes grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 951.206 *Expenses and rate of assessment for the 1951-52 season*—(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Industry Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the season beginning April 1, 1951, will amount to $38,820.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first ships Tokay grapes shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at three cents ($0.03) per hundred pounds of Tokay grapes shipped by such handler during said season.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) in accordance with the provisions of said amended marketing agreement and order, the rate of assessment is applicable to all fresh Tokay grapes shipped during the 1951-52 season; (2) shipments of Tokay grapes are expected to begin about August 23, 1951, and become heavy in volume almost immediately thereafter; (3) the provisions hereof do not impose any obligation on a handler until such handler ships Tokay grapes; and (4) the immediate specification of the assessment rate will assist handlers of Tokay grapes in making their plans for the 1951-52 season and thereby tend to promote the orderly marketing of such grapes.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

As used in this section, the terms "handler," "ships," "shipped," and "season" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 19th day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-11484; Filed, Sept. 21, 1951; 8:56 a. m.]

[Lemon Reg. 400, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.507 (Lemon Regulation 400, 16 F. R. 9364) are hereby amended to read as follows:

(ii) District 2: 300 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 20th day of September 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-11528; Filed, Sept. 21, 1951; 8:52 a. m.]

[Lemon Reg. 401]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.508 *Lemon Regulation 401*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order: the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on September 19, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 23, 1951, and ending at 12:01 a. m., P. s. t., Sep-

tember 30, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 275 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 20th day of September 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage date: Sept. 16, 1951]

DISTRICT NO. 2

[12:01 a. m. Sept. 23, 1951, to 12:01 a. m. Oct. 7, 1951]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers Inc., Corona	.089
American Fruit Growers Inc., Fullerton	.482
American Fruit Growers Inc., Upland	.254
Eadington Fruit Co	.102
Hazeltine Packing Co	.476
Ventura Coastal Lemon Co	2.029
Ventura Pacific Co	1.963
Glendora Lemon Growers Association	1.884
La Verne Lemon Association	.785
La Habra Citrus Association	1.234
Yorba Linda Citrus Association, The	.593
Escondido Lemon Association	2.492
Alta Loma Heights Citrus Association	.676
Etiwanda Citrus Fruit Association	.515
Mountain View Fruit Association	.334
Old Baldy Citrus Association	.930
San Dimas Lemon Association	1.750
Upland Lemon Growers Association	6.324
Central Lemon Association	.852
Irvine Citrus Association	.805
Placentia Mutual Orange Association	.312
Corona Citrus Association	.217
Corona Foothill Lemon Co	1.572
Jameson Co	.711
Arlington Heights Citrus Co	.467
College Heights Orange & Lemon Association	3.263
Chula Vista Citrus Association, The	1.103
El Cajon Valley Citrus Association	.030
Escondido Cooperative Citrus Association	.216
Fallbrook Citrus Association	1.374
Lemon Grove Citrus Association	.317
Carpinteria Lemon Association	3.113
Carpinteria Mutual Citrus Association	3.716
Goleta Lemon Association	5.497
Johnston Fruit Co	6.569
North Whittier Heights Citrus Association	.569
San Fernando Lemon Association	1.157
Sierra Madre-Lamanda Citrus Association	0.712
Briggs Lemon Association	2.360
Culbertson Lemon Association	2.121
Fillmore Lemon Association	1.145
Oxnard Citrus Association	5.973
Rancho Sespe	.929
Santa Clara Lemon Association	3.821
Santa Paula Citrus Fruit Association	3.523
Saticoy Lemon Association	3.919
Seaboard Lemon Association	4.145
Somis Lemon Association	3.237
Ventura Citrus Association	1.155
Ventura County Citrus Association	.015
Limoneira Co	2.383
Teague-McKevett Association	.859
East Whittier Citrus Association	.353
Leffingwell Rancho Lemon Association	.731
Murphy Ranch Co	1.209
Chula Vista Mutual Lemon Association	.586
Index Mutual Association	.261
La Verne Cooperative Citrus Association	2.014
Orange Belt Fruit Distributors	.756
Ventura County Orange & Lemon Association	2.744
Whittier Mutual Orange & Lemon Association	.077
Evans Bros. Packing Co	.000
Latimer, Harold	.013
MacDonald Fruit Co	.002
Paramount Citrus Association, Inc.	.183
Uyeji, Kikuo	.002

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

[F. R. Doc. 51-11529; Filed, Sept. 21, 1951; 8:52 a. m.]

[Orange Reg. 390]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.536 *Orange Regulation 390*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended, (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on September 20, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., p. s. t., September 23, 1951, and ending at 12:01 a. m., p. s. t., September 30, 1951, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: Unlimited movement; (*b*) Prorate District No. 2: 1,300 carloads; (*c*) Prorate District No. 3: Unlimited movement; (*d*) Prorate District No. 4: Unlimited movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: No movement; (*b*) Prorate District No. 2: No movement; (*c*) Prorate District No. 3: No movement; (*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 21st day of September 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. (P. d. s. t.) Sept. 23, 1951 to 12:01 a. m. (P. d. s. t.) Sept. 30, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0347
A. F. G. Corona	.0395
A. F. G. Fullerton	1.1002
A. F. G. Orange	.4038
A. F. G. Riverside	.1307
A. F. G. San Juan Capistrano	.5973
A. F. G. Santa Paula	.4536
Eadington Fruit Co., Inc	5.4738
Hazeltine Packing Co	.2956
Krinard Packing Co	.1912
Placentia Cooperative Orange Association	.6946
Placentia Pioneer Valley Growers Association	.7978
Signal Fruit Association	.1004
Azusa Citrus Association	.5602
Covina Citrus Association	1.2011
Covina Orange Growers Association	.5436
Damerel-Allison Association	.7239
Glendora Citrus Association	.3049
Glendora Mutual Orange Association	.3544
Valencia Heights Orchard Association	.5479
Gold Buckle Association	.2278
La Verne Orange Association	.5414
Anaheim Valencia Orange Association	1.3521
Fullerton Mutual Orange Association	2.9614
La Habra Citrus Association	1.2744
Yorba Linda Citrus Association, The	1.1495
Escondido Orange Association	.5768
Alta Loma Heights Citrus Association	.0602
Citrus Fruit Growers	.0875
Etiwanda Citrus Fruit Association	.0114
Old Baldy Citrus Association	.0398
Rialto Heights Orange Growers	.0413
Upland Citrus Association	.2983
Upland Heights Orange Association	.1011
Consolidated Orange Growers	1.9790
Frances Citrus Association	1.4033
Garden Grove Citrus Association	1.9708
Goldenwest Citrus Association	2.0015
Irvine Valencia Growers	3.2280
Olive Heights Citrus Association	2.9231
Santa Ana-Tustin Mutual Citrus Association	1.0301
Santiago Orange Growers Association	4.4198
Tustin Hills Citrus Association	2.0844
Villa Park Orchards Association	2.4483
Bradford Bros., Inc	.9192
Placentia Mutual Orange Association	3.9459
Placentia Orange Growers Association	3.9146
Yorba Orange Growers Association	1.0295
Call Ranch	.0361
Corona Citrus Association	.4372
Jameson Co	.1222
Orange Heights Orange Association	.5913
Crafton Orange Growers Association	.2356

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
East Highlands Citrus Association	0.0606
Redlands Heights Groves	.1897
Redlands Orangedale Association	.1649
Rialto-Fontana Citrus Association	.0885
Break & Son, Allen	.0461
Bryn Mawr Fruit Growers Association	.1055
Mission Citrus Association	.0619
Redlands Cooperative Fruit Association	.1154
Redlands Orange Growers Association	.0920
Redlands Select Groves	.1841
Rialto Orange Co	.1619
Southern Citrus Association	.1164
United Citrus Growers	.0819
Zilen Citrus Co	.0154
Arlington Heights Citrus Co	.0613
Brown Estate, L. V. W	.1004
Gavilan Citrus Association	.0910
Highgrove Fruit Association	.0517
McDermont Fruit Co	.1160
Monte Vista Citrus Association	.1992
National Orange Co	.0175
Riverside Citrus Association	.0055
Riverside Heights Orange Growers Association, The	.0303
Sierra Vista Packing Association	.0298
Victoria Avenue Citrus Association	.0948
Claremont Citrus Association	.1155
College Heights Orange & Lemon Association	.1325
Indian Hill Citrus Association	.1359
Pomona Fruit Growers Exchange	.3302
Walnut Fruit Growers Association	.5560
West Ontario Citrus Association	.1895
El Cajon Valley Citrus Association	.0000
Escondido Cooperative Citrus Association	.0919
San Dimas Orange Growers Association	.2507
Canoga Citrus Association	.8508
North Whittier Heights Citrus Association	.9172
San Fernando Heights Orange Association	.5243
Sierra Madre-Lamanda Citrus Association	.3347
Camarillo Citrus Association	1.3761
Fillmore Citrus Association	2.9585
Mupu Citrus Association	2.0663
Ojai Orange Association	.2631
Piru Citrus Association	2.0553
Rancho Sespe	.7690
Santa Paula Orange Association	1.0609
Tapo Citrus Association	.8634
Ventura County Citrus Association	.5536
Limoneira Co	.5120
East Whittier Citrus Association	.3986
Murphy Ranch Co	.9467
Anaheim Cooperative Orange Association	2.1091
Bryn Mawr Mutual Orange Association	.1424
Chula Vista Mutual Lemon Association	.0000
Euclid Avenue Orange Association	.5566
Foothill Citrus Union, Inc	.0472
Fullerton Cooperative Orange Association	.4250
Garden Grove Orange Cooperative, Inc	1.3916
Golden Orange Groves, Inc	.1821
Highland Mutual Groves	.0092
Index Mutual Association	.4621
La Verne Cooperative Citrus Association	1.4954
Olive Hillside Groves, Inc	.7672
Orange Cooperative Citrus Association	1.8730
Redlands Foothill Groves	.3824
Redlands Mutual Orange Association	.1555

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Ventura County Orange & Lemon Association	0.8226
Whittier Mutual Orange & Lemon Association	.1506
Babijuice Corp. of California	1.1292
Banks, L. M	.7227
Becker, Samuel Eugene	.0096
Bennett Fruit Co	.0441
Borden Fruit Co	.7126
Cappos Brothers Produce	.0074
Cherokee Citrus Co., Inc	.1096
Chess Co., Meyer W	.5121
Dozier, Paul M	.0127
Dunning Ranch	.0000
Evans Brothers Packing Co	.8000
Gold Banner Association	.1616
Granada Hills Packing Co	.0334
Granada Packing House	.6206
Hill Packing Co., Fred A	.0527
Knapp Packing Co., John C	.6812
L Bar S Ranch	.0000
Lawson, William J	.0000
Lima & Sons, Joe	.1417
Orange Belt Fruit Distributors	1.9161
Orange Hill Groves	.0104
Otte, Arnold	.0602
Panno Fruit Co., Carlo	.5348
Paramount Citrus Association	.4743
Patitucci, Frank L	.0092
Placentia Orchard Co	.6704
Prescott, John A	.0194
Redlands Fruit Association, Inc	.0150
Ronald, P. W	.0213
San Antonio Orchard Co	.2812
Stephens, T. F	.1029
Summit Citrus Packers	.0174
Treesweet Products Co	.1004
Wall, E. T., Grower-Shipper	.1170
Western Fruit Growers, Inc	.3802

[F. R. Doc. 51-11538; Filed, Sept. 21, 1951; 11:25 a. m.]

PART 997—FILBERTS GROWN IN OREGON AND WASHINGTON

SALABLE, SURPLUS, AND WITHHOLDING PERCENTAGES

Notice of proposed rule making with respect to the fixing of salable, surplus, and withholding percentages of merchantable filberts for the fiscal year beginning August 1, 1951, was published in the FEDERAL REGISTER of August 31, 1951 (16 F. R. 8849), pursuant to the provisions of Marketing Agreement No. 115 and Order No. 97 regulating the handling of filberts grown in Oregon and Washington (7 CFR Part 997). In said notice, in which it was proposed to fix the salable percentage of merchantable in-shell filberts at 85 percent, the surplus percentage at 15 percent, and the withholding percentage at 18 percent for the fiscal year beginning August 1, 1951, opportunity was afforded interested parties to submit to the Department written data, views, or arguments for consideration prior to final issuance of the rule fixing the percentages. No such documents were received during the period specified.

It is hereby found and determined that good cause exists for making this document effective five days after publication in the FEDERAL REGISTER, instead of waiting thirty days after publication, for the reasons that (1) it is desirable

that the percentages be fixed prior to any handling of 1951 crop filberts, (2) operations of handlers under the marketing agreement program will not require preparation in respect to the application of the percentages fixed herein which cannot be made within five days after publication of this rule in the FEDERAL REGISTER, and (3) the handling of 1951 crop filberts will be imminent thereafter.

After consideration of all relevant matters, the percentages are fixed as follows:

§ 997.201 *Salable, surplus, and withholding percentages for merchantable in-shell filberts.* For the fiscal year beginning August 1, 1951, the salable percentage of merchantable in-shell filberts shall be 85 percent, the surplus percentage shall be 15 percent, and the withholding percentage shall be 18 percent.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 18th day of September 1951, to become effective at 12:01 a. m., P. s. t., on the fifth day after publication of this document in the FEDERAL REGISTER.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51-11420; Filed, Sept. 21, 1951; 8:46 a. m.]

TITLE 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 6—SECURITY POLICIES AND PRACTICES RELATING TO LABOR-MANAGEMENT RELATIONS

GENERAL

Sec.
6.1 Purpose.
6.2 Basis and scope.

SECURITY POLICIES AND PROCEDURES IN NATIONAL LABOR RELATIONS BOARD PROCEEDINGS

6.10 Policy.
6.11 Consent elections.
6.12 Trial examiners.
6.13 Clearance of counsel.
6.14 AEC's role in proceedings.

LOYALTY OF PARTICIPANTS

6.20 Policy.

CONTRACT NEGOTIATION AND ADMINISTRATION

6.30 Clearance of certain local union representatives.
6.31 Clearance of conciliators and arbitrators.
6.32 Security indoctrination of non-employee representatives.
6.40 Final responsibility of the Commission in security matters.

AUTHORITY: §§ 6.1 to 6.40 issued under 60 Stat. 755; 42 U. S. C. 1801 to 1819.

GENERAL

§ 6.1 *Purpose.* The purpose of this part is to set forth AEC security policies and practices in the area of labor-management relations.

§ 6.2 *Basis and scope.* The specific policies contained in this part are worked out within the framework of AEC's general objectives for labor-management relations in the atomic energy program, namely:

(a) Wholehearted acceptance by contractors and by labor and its representatives of the moral responsibility inherent in participation in the atomic energy program;

(b) Development of procedures to assure (1) that all participants in the program are loyal to the United States including those whose participation involves the exercise of negotiating and disciplinary authority over bargaining units, and (2) that determination of unit, jurisdiction, and similar questions will not breach security;

(c) Continuity of production at vital AEC installations;

(d) Consistent with the Commission's responsibility under the law, the least possible governmental interference with the efficient management expected from the AEC contractors;

(e) Minimum interference with the traditional rights and privileges of American labor.

SECURITY POLICIES AND PROCEDURES IN NATIONAL LABOR RELATIONS BOARD PROCEEDINGS

§ 6.10 *Policy.* It is the policy of the Commission that NLRB cases falling within the scope of the Labor Management Relations Act at the various atomic energy installations should be conducted in normal fashion wherever possible, on the basis of open hearings, unclassified records and published decisions. This policy does not preclude adoption of special arrangements which may be required for reasons of program security at any stage of the proceedings in particular areas.

§ 6.11 *Consent elections.* In accordance with the recommendation of the President's Commission on Labor Relations in the Atomic Energy Installations, it is the policy of the Commission to encourage every effort by management and labor at atomic energy installations to determine bargaining units and representatives by agreement and consent elections in preference to contested proceedings before the National Labor Relations Board.

§ 6.12 *Trial examiners.* By agreement with the National Labor Relations Board, a panel of cleared NLRB trial examiners is maintained to facilitate resolution of questions as to the materiality of classified information in NLRB hearings, and to facilitate preparation of an unclassified record. The assignment of individual trial examiners to atomic energy cases remains a matter within the discretion of the National Labor Relations Board.

§ 6.13 *Clearance of counsel.* It is recognized that clearance of counsel for the parties is sometimes desirable for proper preparation of a case even though the record is to be unclassified. Clearance of counsel makes possible their participation in any closed discussions needed preparatory to making an unclassified record. Each party is responsible for requesting clearance of its counsel well in advance so that clearance requirements will not delay the proceeding. The clearance of temporary special counsel will be terminated on completion of the proceeding.

§ 6.14 *AEC's role in proceedings.* If controversies within the scope of the Labor Management Relations Act arise which cannot be adjusted by mutual agreement, and contested proceedings before NLRB result, each party to such proceedings will present his own position and the evidence in support thereof with due regard for existing security rules. AEC will be continuously informed of the progress of such proceedings and will act as may appear desirable (a) to assure the protection of classified information; (b) to assure that material and relevant information is not withheld from the record on grounds of security if such information can be supplied in unclassified form; and (c) to assist in determining appropriate action where a decision may turn on data which can be expressed only in classified form.

LOYALTY OF PARTICIPANTS

§ 6.20 *Policy.* Loyalty to the United States is a paramount factor applicable to all participants in the atomic energy program including those whose participation (although not requiring access to restricted data) involves the exercise of administrative, negotiating and disciplinary authority over bargaining units composed of employees engaged on classified work. Individuals involved in questions of loyalty will be given full opportunity to explore the questions with the Commission. The Commission will take such further steps as may be appropriate in the circumstances.

CONTRACT NEGOTIATION AND ADMINISTRATION

§ 6.30 *Clearance of certain local union representatives.* It is recognized that security clearance of certain union representatives may be necessary to assure opportunity for effective representation of employees in collective bargaining relationships with AEC contractors. Accordingly, AEC managers may authorize investigation for "Q" clearance of union officials whose functions as representatives of employees may reasonably be expected to require access to restricted data (1) under NLRB and other procedures according to applicable law (LMRA, 1947); (2) to effectively perform their representation functions in the resolution of grievances and in other collective bargaining relationships with contractors; (3) to effectuate the recommendation of the President's Commission on Labor Relations in the Atomic Energy Installations in respect to integration of the union into the plant organization "as a two-way channel of communication and a medium of understanding between management and workers".

(a) In the pre-contract stage of union-management relations, the requirements of the Labor Management Relations Act normally will be the applicable criteria for determining which bargaining representatives, if any, will need access to classified material in the exercise of their functions as employee representatives:

(b) After a bargaining relationship has been established between the contractor and the representatives of its employees, the nature of this relation-

ship and the procedures followed in it normally will be the controlling criteria for determination of the access to be granted to particular persons in carrying out their functions as employee representatives. For example, many contract grievance procedures designate by title certain union and management officials who are to have definite roles in the resolution of grievances under the procedure. Investigation for "Q" clearance will normally be in order for such officials, both company and union, employee and non-employee. In addition, persons not so designated may be investigated for clearance where the company and the union advise the AEC manager that their established relationships contemplate access for such persons.

§ 6.31 *Clearance of conciliators and arbitrators.* Conciliators and arbitrators who are regularly assigned to atomic energy cases may be processed for "Q" clearance at the discretion of the local AEC manager, either on the manager's initiative or at the request of a contractor.

§ 6.32 *Security indoctrination of nonemployee representatives.* All collective bargaining representatives, company and union, who are to have access to restricted data, will be given appropriate security indoctrination.

§ 6.40 *Final responsibility of the Commission in security matters.* On all matters of security at all government-owned, privately operated atomic energy installations, the Atomic Energy Commission retains absolute and final authority, and neither the security rules nor their administration are matters for collective bargaining between management and labor. Insofar as AEC security regulations affect the collective bargaining process, the security policies and regulations will be made known to both parties. To the fullest extent feasible the Commission will consult with representatives of Management and labor in formulating security rules and regulations that affect the collective bargaining process.

Dated at Washington, D. C., this 17th day of September 1951.

M. W. BOYER,
General Manager.

[F. R. Doc. 51-11411; Filed, Sept. 21, 1951; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

PART 60—AIR TRAFFIC RULES

[Supp. 7, Amdt. 84]

DANGER AREA ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13–1 is amended as follows:

1. The Ajo Arizona, area, published on May 17, 1951, in 16 F. R. 4609, is amended by changing the "Using Agency" column to read: "Air Training Command, Luke AFB, Phoenix, Arizona, and Air Defense Command, Yuma County Airport, Yuma, Arizona".

2. The Tyndall Air Force Base, Florida, Area I, published on May 26, 1950, in 15 F. R. 3212, and amended on August 7, 1951, in 16 F. R. 7696, is further amended by changing the "Description by Geographical Coordinates" column to read: "Area I: Beginning at lat. 30°43'00" N, long. 85°14'00" W; SE to lat. 29°56'00" N, long. 84°32'00" W; WSW to lat. 29°42'45" N, long. 85°27'00" W; northerly paralleling the shoreline at a distance of 3 nautical miles to lat. 30°04'20" N, long. 85°45'45" W; NW to lat. 30°42'00" N, long. 86°06'00" W; easterly to lat. 30°43'00" N, long. 85°14'00" W, point of beginning".

3. The Valparaiso, Florida, area, published on April 21, 1949, in 14 F. R. 4290, is hereby designated as two areas and revised to read:

Name and location (chart)	Description by geographical coordinates	Altitudes designated	Time of designation	Using agency
VALPARAISO (Mobile Chart)	East Area: Beginning at a point on the southern edge of Red Civil Airway No. 30 at lat. 30°43'50" N, long. 86°10'30" W; counterclockwise around a circular arc of 3-mile radius centered at lat. 30°45'00" N, long. 86°07'40" W to lat. 30°42'30" N, long. 86°07'10" W; southerly along the De Funiak Springs-Freeport Highway (State Highway No. 83) to the town of Freeport at lat. 30°30'00" N, long. 86°08'-00" W; due S to the shoreline at lat. 30°19'00" N, long. 86°08'00" W; southeasterly along the shoreline to lat. 30°15'00" N, long. 86°05'10" W; SE to a point 3 nautical miles from the shoreline at lat. 30°13'40" N, long. 86°01'50" W; westerly paralleling the shoreline at a distance of 3 nautical miles to lat. 30°19'50" N, long 86°25'10" W; northerly to lat. 30°33'15" N, long. 86°25'30" W; due W to long. 86°28'25" W; northerly to lat. 30°43'20" N, long. 86°28'40" W; easterly along the southern edge of Red Civil Airway No. 30 to lat. 30°43'50" N, long. 86°10'30" W, point of beginning.	Unlimited...	Continuous.	Air Proving Ground, Eglin AFB, Valparaiso, Fla.
	West Area: Beginning at lat. 30°43'05" N, long. 86°35'45" W; southerly to a point 3 nautical miles from the shoreline at lat. 30°20'30" N, long. 86°35'10" W; westerly paralleling the shoreline at a distance of 3 nautical miles to lat. 30°20'10" N, long. 86°48'00" W; due N to U. S. Highway No. 98 at lat. 30°24'40" N; westerly along U. S. No. 98 to its intersection with the Navarre-Milton Highway (State Highway No. 87) at lat. 30°24'15" N, long. 86°52'15" W; northerly and westerly along State Highway No. 87 to lat. 30°33'40" N, long. 86°55'15" W; NE to lat. 30°43'00" N, long. 86°38'30" W; easterly to lat. 30°43'05" N, long. 86°35'45" W, point of beginning.	....do.....	....do.....	Do.

4. The Camp Edwards, Massachusetts, areas (1) and (2), published on April 21, 1949, in 14 F. R. 4292, are hereby designated as one area and revised to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
CAMP EDWARDS (Boston Chart)	Beginning at lat. 41°39'00" N, long. 70°35'00" W; NNE to lat. 41°41'00" N, long 70°33'45" W; counterclockwise following the arc of a circle with a radius of 3 miles centered at lat. 41°43'30" N, long. 70°32'30" W to lat. 41°42'10" N, long. 70°35'30" W; SSW to lat. 41°39'30" N, long. 70°36'30" W; ESE to lat. 41°39'00" N, long. 70°35'00" W, point of beginning.	Unlimited..	Continuous.	Department of Army, Camp Edwards, Mass.

5. A Brant Island, North Carolina, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
BRANT ISLAND (Norfolk Chart).	A circular area having a radius of 3 miles centered at lat. 35°12'30" N, long. 76°26'30" W.	Surface to 10,000 feet.	0600 to 0300 daily.	MCAS, Cherry Point, N. C.

6. A Point of Marsh, North Carolina, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
POINT OF MARSH (Norfolk Chart).	The area within a 3 mile radius of the following points: lat. 35°04'36" N, long. 76°28'12" W; lat. 35°01'37" N, long. 76°25'12"W; lat. 34°58'51" N, long. 76°25'15" W; lat. 35°01'24" N, long. 76°29'36" W; lat. 35°04'03" N, long. 76°26'00" W.	Surface to 10,000 feet.	0600 to 0300 daily.	MCAS, Cherry Point, N. C.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on September 21, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-11447; Filed, Sept. 21, 1951; 8:49 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Reg., Amdt. 74 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 374—PROJECT LICENSES

PART 384—GENERAL ORDERS

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE ASSIGNED BY OIT

MISCELLANEOUS AMENDMENTS

1. Section 373.24 *Statement of past participation in exports for certain commodities* is amended by adding thereto a new paragraph (e) to read as follows:

(e) *All controlled materials and certain additional commodities with processing code NONF—(1) Information required.* Any applicant who has pending with the Office of International Trade or who intends to file applications for a license to export the following commodities:

Corrugated aluminum sheet (Schedule B No. 630301);
Refined copper in cathodes, billets, ingots, wire bars or other forms (Schedule B No. 641200) (report copper bars except wire bars in 642400);
Copper scrap (Schedule B No. 641300);
Brass and bronze scrap and old (Schedule B No. 644000); brass and bronze ingots (Schedule B No. 644100);
Lead pigs and bars and anodes (include blocks and ingots) (Schedule B No. 650750);
Zinc slab (Schedule B Nos. 657101, 657103, 657105, 657111, 657121, 657125, 657198);
Any commodity listed in § 398.5 (e) (Controlled Materials),

must submit the following information:

(i) On separate Forms IT-821 (see Supplement S-13) for each Schedule B number, total exports from the United States by quantity and value made in exporter's own name (i. e., for his own account) during each of the calendar years 1949 and 1950 of the commodities specified above to each foreign country other than Canada. In preparing Form IT-821 for controlled materials, there shall be entered in Item 2 the appropriate Schedule B number and the "OIT" Reference Code to Controlled Materials" (see § 398.5 (e) of this chapter).

(ii) The names of all exporters, dealers, manufacturers, and of any other business organizations (whether individuals, corporations, partnerships, associations or any other kind of organizations) engaged in the export of the commodities specified in this paragraph which are directly or indirectly owned or controlled by the applicant or which directly or indirectly own or control the applicant's operations; the date (month and year) when such firms or organizations were established; and their relationships to the applicant's operations.

(iii) This requirement is waived with respect to any commodity (i. e., Schedule B number) for each year in which an exporter's total exports of such commodity were less than $5,000.

(2) *Filing schedules.* Forms IT-821 required by this paragraph are to be submitted to the Office of International Trade in accordance with the following time schedule:

(i) Any applicant with an application pending with Office of International Trade as of September 10, 1951, shall file Form IT-821 prior to October 16, 1951.

(ii) Any other applicant shall file Form IT-821 with or prior to submission of the first application submitted after September 7, 1951.

NOTE: In the absence of any report on Form IT-821, OIT will assume that the applicant's total exports for each commodity were less than $5,000 in each of the two calendar years, and his application will be considered against a portion of the export quota held for exporters in this category.

This part of the amendment shall become effective as of September 13, 1951.

2. Section 373.51 *Supplement 1; Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended to provide the following submission dates for the fourth quarter 1951 and the first quarter 1952:

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES

FOURTH QUARTER 1951 AND FIRST QUARTER 1952

Dept. of Commerce Schedule B No.	Commodity	Submission dates	
		Fourth quarter 1951	First quarter 1952
	Hides and skins, raw, except furs		
020104	Cattle hides, wet	The first month of the current calendar quarter.	The first month of the current calendar quarter.
020602	Calf skins, dry [1]		
020604	Calf skins, wet (include slunk skins)		
020702	Kip skins, dry [1]		
020704	Kip skins, wet		
025098	Buffalo hides		
	Other nonmetallic minerals [2]		
547300	Artificial graphite electrodes for furnace or electrolytic work, 1 inch in cross-sectional dimension and over.	Sept. 10-Sept. 21, 1951	Dec. 3-Dec. 14, 1951.
547300	Carbon rods and electrodes for furnace or electrolytic work, 1 inch in cross-sectional dimension and over.		
548098	Artificial graphite blocks, bricks, or shapes		
548098	Carbon or artificial graphite rods and electrodes for other than furnace or electrolytic work, 1 inch in cross-sectional dimension and over.		
	Metals and manufactures [2]		
	Controlled Materials: [3] [4]		
	Commodities with processing code STEE or TNPL:		
	Stainless and other alloy steel	June 1-June 15, 1951	Sept. 17-Sept. 28, 1951.
	All other	July 2-July 16, 1951	Oct. 1-Oct. 15, 1951.
	Commodities with processing code NONF. (NOTE: This schedule applies to controlled materials only. Applications for export of commodities classified as "A" or "B" products under the Controlled Materials Plan may be submitted at any time.)	July 2-July 16, 1951	Oct. 1-Oct. 15, 1951.
	Commodities with processing code NONF other than controlled materials. [3]	Sept. 1-Sept. 15, 1951	Nov. 1-Nov. 15, 1951.

[1] Applications covering calf and kip skins, dry, imported, filed in accordance with § 373.6 (a), may be submitted at any time.
[2] The submission dates for these commodities are also applicable to project license applications (see §§ 374.2 (f) and 374.3 (d)) of this chapter.
[3] See § 398.5 (e) of this chapter for list of controlled materials.
[4] See § 398.5 (d) of this chapter for exception to these dates under certain conditions.

[1] This amendment was published in Current Export Bulletin No. 638, dated September 13, 1951.

This part of the amendment shall become effective as of September 13, 1951.

3. Section 374.1 *Project licenses* is amended in the following particulars:

a. Paragraph (b) *Bases for consideration of project license applications*, subparagraph (2) *SP licenses*, is amended by adding thereto the following unnumbered subdivision.

The use of the SP (Special) license procedure shall be mandatory for all large petroleum construction operations having a materials cost in excess of $10,000.00 for which priority assistance is requested on Form PAD–26A.[2] If, at the time Form PAD–26A is submitted requesting priority assistance for such an operation, the applicant holds an SP license which is identical in coverage with the large construction operation, no new SP license will be issued and no application therefor need be filed. Reference to the outstanding SP license should be made on Form PAD–26A or in a letter attached thereto. In all other cases, however, application for SP license on Form IT–419 covering only the large construction operation under consideration must accompany Form PAD–26A. If in these circumstances an applicant under PAD–26A holds an outstanding SP license, which either includes as a component part the construction operation for which supply assistance is requested or covers it in part, the outstanding SP license must be amended to delete that portion involving the large construction operation. Such an application for amendment must be filed simultaneously with the application for a new SP license covering the large construction operation.

b. Note 1. following paragraph (b) *Bases for consideration of project license applications* is amended to read as follows:

NOTE 1. *Project license identification.* If a project license is issued, it will be given a license number with either the prefix "SP" (if approved as a Special Project license) or with the prefix "DL" (if approved as a Dollar Limit license). Project licenses issued in connection with the approval of Form PAD–26A, for large petroleum construction operations costing more than $10,000, will be given a license number with the prefix "SP 26."

This part of the amendment shall become effective as of September 13, 1951.

4. Section 374.3 *SP (special) project licenses* is amended in the following particulars:

a. Paragraph (a) *License application form* is amended by adding thereto a Note to read as follows:

NOTE: 1. These supplementary documents include Form IT–375, SP (Special) License Application Material Requirements List, which will be used for all other projects or programs except petroleum; Form IT–824, Application for Export License and/or Supply Assistant for Foreign Petroleum Operations; and Form PAD–26A which will be used only for petroleum construction projects costing over $10,000.

2. Authorizations to export as well as authorizations to use allotment symbols and priority ratings which have been issued previously will remain valid for the fourth quarter of 1951 and will expire only on the dates indicated on the respective Forms IT–419 and IT–375. As of September 13, 1951, however, Form IT–824 shall be used in lieu of Form IT–375 for future amendments to outstanding SP or DL licenses for foreign petroleum operations.

[2] Filed as part of the original document.

b. Paragraph (b) *Preparation of application form*, subparagraphs (1) and (2) are respectively amended to read as follows:

(1) Under item 9 (b) (the commodity description column), the following legend:

Articles and materials set forth on the attached Form IT–375, or for foreign petroleum projects Form IT–824 or PAD–26A, as appropriate, constitute the total known requirements for (insert name of project) or requirements for one year for (insert name of program) of commodities requiring validated export license beginning (insert date, beginning with a calendar quarter.) We hereby certify that if a license is granted in response to this application, no such commodities will be exported under the license unless specifically required for the project or program, and after exportation the commodities will not be disposed of or used for any purpose other than that stated in this application.

(2) Under item 9 (d) (the value column), the total or aggregate dollar value of the commodities to be exported, as shown on the IT–375, or for petroleum projects Form IT–824[1] or PAD–26A, as appropriate.

c. Paragraph (c) *Letter of explanation* is amended to read as follows:

(c) *Letter of explanation.* A letter, in duplicate, giving full details as to urgency of need of the commodities and the nature of the operation for which they are required. In the case of foreign petroleum construction operations over $10,000.00, the application must be accompanied by Form PAD–26A in lieu of the letter of explanation. For all other petroleum projects, the application must be accompanied by a statement in quintuplicate setting forth the specific information required by the Office of International Trade.

NOTE: The degree of adequacy of the information submitted in justification of the project has a direct bearing upon the period of time required for processing the application and the action taken. Additional information, if needed, will be requested by the OIT.

d. The title of paragraph (d) *Form IT–375* is amended to read as follows:

(d) *Commodity requirements for other than petroleum projects or programs, Form IT–375.*

e. Paragraph (e) *Authorizations required by other government agencies* is redesignated paragraph (f). A new paragraph (e) is added to § 374.3 to read as follows:

(e) *Commodity requirements for petroleum projects and programs*—(1) *Construction projects over $10,000.00.* Form PAD–26A, in quintuplicate, must accompany each license application, Form IT–419, involving construction operations over $10,000.00. Form PAD–26A shall set forth the total requirements of the materials specified therein by calendar quarters for the complete project for which application is being made. This form need be filed only once, except to effect changes in delivery dates or quantity of material required. In addition, Form IT–419 must be accompanied by Form IT–824 in quintuplicate setting forth the requirements of materials to be used in the construction operation which do not appear on Form PAD–26A but which must be licensed for export. For such materials the requirements set forth on Form IT–824 shall be the total requirements for the complete project for which application is being made. Form IT–824 need be filed only once when used in connection with large construction projects, except to effect changes in the quantity of material required.

(2) *All other foreign petroleum projects.* Applications for licenses for all other foreign petroleum projects must be accompanied by a statement, in quintuplicate, of the estimated commodity requirements requiring validated export licenses for one year, or less if the project or program is of shorter duration. The commodity must be stated in terms of the specific commodity description, Schedule B number, and the unit of quantity shown for that commodity entry on the Positive List, as well as in terms of the total dollar value for each commodity.

(i) In the case of projects, the total requirements thereof set forth by calendar quarter;

(ii) In the case of programs, the requirements for a full 12-month period set forth by calendar quarter.

(iii) Firm requirements by calendar quarters: For the beginning and each successive calendar quarter, a separate Form IT–824, in quintuplicate, must be submitted for each commodity for which validated license is required, except that related commodities on the Positive List having the same processing code symbol and number may be included on one set of Form IT–824. However, not more than three such related commodities shall be included on one set of the forms. Commodities which do not have the same processing code symbol and number must be submitted on separate IT–824 forms.

In addition to furnishing all the other information requested, Form IT–824 must include the estimated date on which the commodities listed on each Form IT–824 will become available to the applicant.

(3) *Time of submission of firm requirements.* Requirements shall be submitted in accordance with the provisions of § 398.8 (d), of this chapter.

(4) *Priority assistance.* Form IT–824 or PAD–26A may be used to request priority assistance for foreign petroleum projects and programs in accordance with Part 398, of this chapter.

This part of the amendment shall become effective as of September 13, 1951.

5. Section 374.4 *Amendment to licenses* is amended in the following particulars:

Paragraph (b) *Information required*, subparagraph (1) is amended to read as follows:

(1) With respect to a request for amendment of an SP (Special) Project license, except petroleum projects a supplementary Materials Requirements List (Form IT–375) in duplicate, showing in detail the additional necessary commodities and the statement of the firm re-

quirements for the beginning calendar quarter, as provided in § 374.3 (d). For foreign petroleum projects, Form IT–824 or PAD–26A as appropriate must be submitted in quintuplicate, as provided in § 374.3 (e); and

This part of the amendment shall become effective as of September 13, 1951.

6. Section 374.6 *Export clearance* is amended in the following particulars:

Paragraph (b) *Shipper's export declaration* is amended to read as follows:

(b) *Shipper's export declaration.* When clearing shipments under a project license, licensees shall file with the collector of customs an additional (fourth) copy of the shipper's export declaration (Commerce Form 7525–V). The licensee shall also enter the license symbol DL or SP, as the case may be, and the license number on the declaration. Where exportation is made under an SP license, or where a restricted commodity is being exported under a DL license, the amendment number of the particular IT–375, IT–824, or PAD–26A, as appropriate, shall be shown.

Commodities exported under a DL license shall be described on the shipper's export declaration as they are described on the Positive List, including the processing code. It is not sufficient to describe such commodities in terms of Schedule B listings or by broad commodity categories.

NOTE: For example, when shipping centrifuge bowls, stainless steel, Schedule B No. 775098, the exporter must describe such commodity in the terms used on the Positive List; a description of such commodity as "industrial machinery and parts n. e. s." is not acceptable. The provisions of § 379.3 (a) of this chapter shall govern, except that a detailed description shall be given of all commodities within any "basket" classification.

This part of the amendment shall become effective as of September 13, 1951.

7. Part 384 *General orders* is amended by adding thereto two new sections (§ 384.10 and § 384.11) reading as follows:

§ 384.10 *Revocation of certain licenses for copper, steel, and aluminum.* With respect to the materials listed below, any valid license issued prior to June 1, 1951, is hereby revoked, effective 12:01 a. m., August 1, 1951, unless revalidated by the Office of International Trade on or after June 1, 1951:

Dept. of Commerce Sch. B No.	Commodity
	Steel mill products
	Steel ingots, blooms, billets, slabs, sheet bars, tinplate bars, and tube rounds (Armco iron, ingot iron, and other iron made in steel-making furnaces included):
	Carbon steel:
601605	Steel ingots.
601606	Steel billets, blooms, and slabs.
601609	Steel sheet bars, and tinplate bars.
	Alloy steel (stainless included):
601705	Steel ingots.
601706	Steel billets, blooms, and slabs (rolled or forged).
601709	Steel sheet bars, and tinplate bars.
601800	Tube rounds (carbon, alloy, and stainless included).
	Iron and steel bars, and rods (include bar size shapes):
	Steel bars, cold-finished:
602010	Die steel bars, carbon steel.
602010	Other carbon steel bars.
602050	Stainless.
602090	Alloy, except stainless.
602100	Iron bars.
602200	Concrete reinforcement bars (deformed and twisted bars only).
	Other steel bars and rods (hot-rolled):
602300	Die steel bars, carbon steel.
602300	Other carbon steel bars.
602500	Stainless steel.
602600	Alloy steel, except stainless (report stainless in 602560).
602900	Wire rods (for further manufacture).
	Plates, including boiler plate, except fabricated:
	Carbon steel:
603120	Hot-rolled.
603130	Cold-rolled.
	Stainless steel:
603140	Hot-rolled.
603160	Cold-rolled.
	Alloy steel, except stainless:
603170	Hot-rolled.
603180	Cold-rolled.
603200	Skelp iron and steel.
	Iron and steel sheets, galvanized:
603350	Galvanized iron culverts and culvert sheets, and sections.
603390	Other galvanized iron sheets.
603450	Galvanized steel culverts and culvert sheets and sections.
603490	Other galvanized steel sheets.
	Steel sheets, black, ungalvanized (include enameled, lacquered, or painted):
	Carbon steel:
603520	Hot-rolled.
603530	Cold-rolled.
	Stainless steel:
603540	Hot-rolled.
603560	Cold-rolled.
	Alloy steel, except stainless:
603570	Hot-rolled.
603580	Cold-rolled.
603595	Electrical (steel) sheets, except transformer grades.
603595	Electrical (steel) sheets, transformer grades only.
603600	Iron sheets, black (including enameled, lacquered, and painted).
	Strip, hoop, band, and scroll, iron and steel (including enameled, lacquered, and painted):
603710	Cold-rolled carbon steel, gilding metal clad.
603710	Cold-rolled carbon steel, except gilding metal clad.
603750	Cold-rolled stainless steel.
603790	Cold-rolled alloy steel, except stainless.
603810	Hot-rolled carbon steel, gilding metal clad.
603810	Hot-rolled carbon steel, except gilding metal clad.
603850	Hot-rolled stainless steel.
603890	Hot-rolled alloy steel, except stainless.
	Tinplate:
604110	Tin plate, hot-dipped.
604150	Tin plate, electrolytic.
604170	Tin plate, decorated, embossed, lithographed, lacquered, or otherwise advanced, including lithographic misprints.
604200	Terneplate (long ternes included).
	Structural iron and steel:
	Structural shapes:
604500	Plain, not fabricated (except bar mill size structurals).
604600	Fabricated.
604790	Plates, fabricated, punched, or shaped, n. e. s.
605000	Sheet piling.
	Railway-track material, iron and steel:
	Rails:
605100	Over 60 pounds per yard.
605200	60 pounds per yard and under.
605300	Relaying rails. (Report rerolling rails under 601550 and scrap rails under 601090).
605410	Rail joints and splice bars.
605450	Tie plates (including fish plates).
605490	Railway track accessories, n. e. s.
605800	Railroad spikes.
	Tubular products and fittings, iron and steel, new and used (except scrap):
606000	Boiler tubes, seamless.
606100	Boiler tubes, welded.
	Casing and line pipe (see § 399.2):
606250	Casing, seamless.
606290	Line pipe, seamless.
606350	Casing, welded.
606390	Line pipe, welded.
606400	Seamless black pipe and tubes, except casing, oil-line and boiler.
606705	Cast-iron pressure pipe.
	Steel mill products—Continued
	Tubular products and fittings, iron and steel, new and used—Continued
606798	Cast-iron pressure pipe fittings.
607000	Welded black pipe and tubes, steel.
607100	Welded black pipe and tubes, wrought iron.
607200	Welded galvanized pipe and tubes, steel.
607300	Welded galvanized pipe and tubes, wrought iron.
607400	Mechanical steel pipe and tubes.
607500	Stainless steel pipe and tubes.
607705	Iron and steel pipe, n.e.s.
	Wires and manufactures:
608100	Iron and steel wire, uncoated (plain, stainless and alloy steel included).
608200	Tie wires for reinforcing bars.
608200	Other galvanized wire.
608300	Barbed wire.
608500	Woven-wire fencing.
608710	Wire cable and rope, except insulated.
608750	Wire strand.
609101	Wire bale ties.
609109	Alloy steel wire, coated (include stainless).
609109	Coated wire, iron and steel, n.e.s., except alloy.
	Other wire manufactures:
609198	Coils, cold-finished, musical instrument wire; piano wire; spring wire, bright steel, piano grade.
609198	Other iron and steel wire and manufactures, n.e.s.
	Nails and bolts, iron and steel, n.e.s.:
609200	Wire nails (include shoe nails) (report shoe tacks in 609400).
609500	Other nails and staples (except staples for paper fasteners or paper stapling machines).
	Castings and forgings, iron and steel:
610410	Carbon steel castings for marine and railroad equipment.
610490	Alloy steel castings (stainless included).
	Railway car and locomotive wheels, tires, and axles:
610515	Railway car wheels.
610518	Railway car tires and locomotive wheels.
610525	Railway car axles, without wheels.
610528	Railway locomotive axles, without wheels.
610535	Railway car axles, fitted with wheels.
610538	Railway locomotive axles, fitted with wheels.
	Iron and steel forgings, n. e. s.:
610700	Carbon steel.
610800	Alloy steel (stainless included).
	Iron and steel manufactures
620909	Unfabricated tie stock, whether or not sheared to length.
620998	Packing steel, stainless; steel tubes for manufacturing of ball bearings; steel shot; and perforated steel sheets, alloy and stainless (see § 373.2).
620998	Angle plates, slotted, iron; circles, steel; castings, iron, machine-drilled; perforated terneplate; sheets, steel, black, printed and lithographed; tubular scaffolding; vitrified steel pipe; flexible tubing, except electrical; perforated steel; poles, steel, electric line; and perforated steel sheets, carbon steel.
	Aluminum and manufactures
630000	Ingots, slabs, pigs, blooms, and other crude forms.
630301	Sheets, plates, and strips (0.006 inch and over in thickness). (Report venetian blind stock in 630998.)
630305	Bars and rods (including rolled and extruded).
630400	Aluminum foil and leaf (less than .006 inch in thickness).
630500	Mill shapes (specify by name) (include unfabricated molding). Report fabricated architectural molding in 630910; other fabricated molding in 630998.)
630600	Other wire, cable, welding rods, and electrodes.
630850	Aluminum or aluminum bronze powders and pastes, aluminum content.
630998	Perforated aluminum sheets.
630998	Aluminum and aluminum-base alloy manufactures, n.e.s.
	Copper and Manufactures
641200	Refined copper in cathodes, billets, ingots, wire bars or other forms. (Report copper bars except wire bars in 642400.)
642200	Copper pipes and tubes.
642300	Copper plates, sheets, and strips.
642400	Copper rods and bars. (Report copperweld rods in 642500; and wire bars in 641200.)
642500	Copper wire and cable, bars (include copperweld electrodes). (Report insulated copper wire in 709810, 709830, and 709850.)
643998	Copper manufactures, n.e.s.

Dept. of Commerce Sch. B No.	Commodity
	Brass and bronze, manufactures
644100	Brass and bronze ingots.
644900	Brass and bronze bars, rods, and shapes (extruded, rolled, and drawn).
645000	Brass and bronze plates, sheets, and strips (report window strip and shapes in 647998).
645300	Brass and bronze pipes and tubes (include pipe coils).
645700	Wire, bare and insulated, brass and bronze.
647913	Brass and bronze castings and forgings.
647998	Brass and bronze manufactures, n.e.s.

§ 384.11 *Revalidation of certain revoked licenses.* Certain licenses for the commodities listed below in this section were revoked, as specified in § 384.10, unless revalidated by the Office of International Trade. Such licenses for the commodities listed below in this section are hereby revalidated and may be used in accordance with the original terms of issuance, provided the validity period shown on the license, or any amendments thereto, has not expired. This revalidation does not apply, however, to licenses which have been specifically revoked or suspended by compliance orders or other notice to the licensee. Separate applications for revalidation need not be submitted to the Office of International Trade in connection with licenses for these commodities.

Dept. of Commerce Sch. B No.	Commodity
606705	Cast-iron pressure pipe.
606798	Cast-iron pressure pipe fittings.
608500	Woven-wire fencing.
608710	Wire cable and rope, except insulated.
608750	Wire strand.
641200	Refined copper in cathodes, billets, ingots, wire bars or other forms (report copper bars except wire bars in 642400).

This part of the amendment shall become effective as of September 13, 1951.

8. Section 398.5 *CMP: Export allocations and procedures* is amended in the following particulars:

a. Paragraph (a) *Controlled Materials Plan as applied to exports,* subparagraph (2), is amended to read as follows:

(2) *Materials covered by CMP.* The Controlled Materials Plan at present covers copper, steel, and aluminum in the shapes and forms described in Schedule I of CMP Regulation 1. For facility of reference, a list of all controlled materials, described in terms of Schedule B, is printed in paragraph (e) of this section. Paragraph (e) of this section comprises the official list of controlled materials for export control purposes.

b. Paragraph (b) *Export quotas and allotment symbols for controlled materials,* subparagraph (3), subdivision (v), and the footnote thereof, and paragraph (c) *Additional information required on license applications* are amended by changing therein "OIT Reference Code to CMP Commodities" to read "OIT Reference Code to Controlled Materials".

c. Paragraph (b) *Export quotas and allotment symbols for controlled materials,* subparagraph (4) *Requests for conversion of CMP allotments* is amended by deleting therefrom subdivision (iv).

d. Paragraph (d) *Controlled Materials Plan commodities* is redesignated paragraph (e) *Controlled Materials* and amended to read as follows:

(e) *Controlled materials.*

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to controlled materials
	Steel mill products	
	(See Special Provisions, §§ 373.2, 373.16 of this chapter)	
601300	Tinplate circles, strips, cobbles, and scroll-shear butts	18
601550	Rerolling rails	19
	Steel ingots, blooms, billets, slabs, sheet bars, tinplate bars, and tube rounds (Armco iron, ingot iron, and other iron made in steel-making furnaces included):	
	Carbon steel:	
601605	Steel ingots	7
601606	Steel billets, projectile and shell quality	8
601606	Other steel billets; and blooms and slabs	7
601609	Steel sheet bars, and tinplate bars	7
	Alloy steel (stainless included):	
601705	Steel ingots	24
601705	Steel ingots, stainless	40
601706	Steel billets, projectile and shell quality, alloy, except stainless	25
601706	Other steel billets; and blooms and slabs (rolled or forged)	24
601706	Other steel billets; and blooms and slabs, stainless	40
601709	Steel sheet bars, and tinplate bars, except stainless	24
601709	Steel sheet bars, stainless	40
	Tube rounds (carbon, alloy, and stainless):	
601800	Carbon	7
601800	Alloy, except stainless	24
601800	Stainless	40
	Iron and steel bars and rods (include bar size shapes):	
	Steel bars, cold-finished:	
602010	Die steel bars, carbon steel	9
602010	Other carbon steel bars	9
602050	Stainless	41
602090	Alloy, except stainless	26
602100	Iron bars	10
602200	Concrete reinforcement bars (deformed and twisted bars only)	10
	Other steel bars and rods (hot-rolled)	
602300	Die steel bars, carbon steel	10
602300	Steel bars, projectile and shell quality	11
602300	Other carbon steel bars	10
602500	Stainless steel	42
602600	Alloy steel bars, hot-rolled, projectile and shell quality	28
602600	Other alloy steel bars, except stainless (report stainless in 602500)	27
	Wire rods (for further manufacture):	
602900	Wire rods, carbon steel	21
602900	Wire rods, alloy steel, except stainless	37
602900	Wire rods, stainless	47
	Plates, including boiler plate, except fabricated: [1]	
	Carbon steel:	
603120	Hot-rolled	15
603130	Cold-rolled	15
	Stainless steel:	
603140	Hot-rolled	45
603160	Cold-rolled	45
	Alloy steel, except stainless:	
603170	Hot-rolled [1]	32
603180	Cold-rolled [1]	32
603200	Skelp iron and steel	7
	Iron and steel sheets, galvanized:	
603390	Galvanized iron sheets, including culvert sheets	17
603450	Galvanized steel culverts, and sections	17
603490	Galvanized steel sheets, including culvert sheets	17
	Steel mill products—Continued	
	Steel sheets, black, ungalvanized (include enameled, lacquered, or painted):	
	Carbon steel:	
603520	Hot-rolled	16
603530	Cold-rolled	15
	Stainless steel:	
603540	Hot-rolled	46
603560	Cold-rolled	46
	Alloy steel, except stainless:	
603570	Hot-rolled	34
603580	Cold-rolled	34
603595	Electrical (steel) sheet and strip, except transformer grades	34
603595	Electrical (steel) sheet and strip, transformer grades only	34
603600	Iron sheets, black (including enameled, lacquered, and painted)	16
	Strip, hoop, band, and scroll, iron and steel (including enameled, lacquered, and painted):	
603710	Cold-rolled carbon steel, gilding metal clad	16
603710	Cold-rolled carbon steel, except gilding metal clad	16
603750	Cold-rolled stainless steel	46
603790	Cold-rolled alloy steel, except stainless	34
603810	Hot-rolled carbon steel, gilding metal clad	16
603810	Hot-rolled carbon steel, except gilding metal clad	16
603850	Hot-rolled stainless steel	46
603890	Hot-rolled alloy steel, except stainless	34
	Tinplate:	
604000	Waste-waste tinplate	18
604110	Tinplate, hot-dipped	18
604150	Tinplate, electrolytic	18
604170	Tinplate, decorated, embossed, lithographed, lacquered, or otherwise advanced, excluding lithographic misprints	18
604200	Terneplate (long ternes included)	18
	Structural iron and steel:	
	Structural shapes:	
	Plain, not fabricated (except bar mill size structurals):	
604500	Carbon steel	12
604500	Alloy steel, except stainless	29
604500	Stainless	43
605000	Sheet piling	12
	Railway-track material, iron and steel:	
	Rails:	
605100	Over 60 pounds per yard, carbon steel	19
605100	Over 60 pounds per yard, alloy steel	35
605200	60 pounds per yard and under, carbon steel	19
605200	60 pounds per yard and under, alloy steel	35
605300	Relaying rails (report rerolling rails under 601550, and scrap rails under 601090)	19
605410	Rail joints and splice bars	19
605450	Tie plates (including fish plates)	19
	Tubular products and fittings, iron and steel, (except scrap):	
	Boiler tubes and other pressure tubing, seamless:	
606000	Carbon steel	14
606000	Alloy steel	31
	Boiler tubes and other pressure tubing, welded:	
606100	Carbon steel	14
606100	Alloy steel	31
	Casing and line pipe (see § 399.2 of this chapter:	
606250	Casing, seamless, carbon steel	13
606250	Casing, seamless, alloy steel	30
606290	Line pipe, seamless	13
606350	Casing, welded, carbon steel	13
606350	Casing, welded, alloy steel	30
606390	Line pipe, welded	13
606400	Seamless black pipe, except casing and oil-line	13
606400	Seamless black tubes, except boiler	14
607000	Welded black pipe, steel	13
607000	Welded black tubes, steel	14
607100	Welded black pipe, wrought iron	13
607100	Welded black tubes, wrought iron	14
607200	Welded galvanized pipe, steel	13
607200	Welded galvanized tubes, steel	14
607300	Welded galvanized pipe, wrought iron	13
607300	Welded galvanized tubes, wrought iron	14
	Mechanical pipe and tubes:	
607400	Carbon steel	31
607400	Alloy steel	44
607500	Stainless steel pipe and tubes	13
607705	Iron and steel pipe, n. e. s.	

[1] Armor plate, classified in Schedule B Nos. 603120, 603130, 603170, and 603180, requires export authorization from the Department of State (see § 370.5, Note 1 of this chapter).

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to controlled materials
	Steel mill products—Continued	
	Wire and manufactures:	
	Iron and steel wire, uncoated:	
608100	Carbon steel	21
608100	Alloy steel	37
608100	Stainless steel	47
	Galvanized wire:	
608200	Tie wires for reinforcing bars	21
608200	Other galvanized wire	21
608300	Barbed wire	21
608500	Woven-wire fencing	21
609101	Wire bale ties	21
609109	Alloy steel wire, coated	37
609109	Stainless steel wire, coated	47
609109	Coated wire, iron and steel, n. e. s., except alloy and stainless	21
	Other wire and manufactures:	
609198	Coils, cold-finished; musical instrument wire; piano wire; spring wire, bright steel, piano grade	21
	Nails and bolts, iron and steel, n. e. s.:	
609200	Wire nails, carbon steel (include shoe nails) (report shoe tacks in 609400)	21
609200	Other wire nails and staples, stainless	47
	Castings and forgings, iron and steel:	
610410	Carbon steel castings	6
610490	Alloy steel castings	23
610490	Stainless steel castings	39
	Railway car and locomotive wheels, tires, and axles:	
610515	Railway car wheels, carbon steel	20
610515	Railway car wheels, alloy steel	36
610518	Railway car tires and locomotive wheels, carbon steel	20
610518	Railway car tires and locomotive wheels, alloy steel	36
610525	Railway car axles, without wheels, carbon steel	20
610525	Railway car axles, without wheels, alloy steel	36
610528	Railway locomotive axles, without wheels, carbon steel	20
610528	Railway locomotive axles, without wheels, alloy steel	36
610535	Railway car axles, fitted with wheels, carbon steel	20
610535	Railway car axles, fitted with wheels, alloy steel	36
610538	Railway locomotive axles, fitted with wheels, carbon steel	20
610538	Railway locomotive axles, fitted with wheels, alloy steel	36
	Iron and steel manufactures	
620093	Carbonyl iron powder, for use in the manufacture of magnetic cores for radio and other electrical equipment, and also in pyrotechnics (see § 373.2 of this chapter)	4
620098	Packing steel, stainless	42
620098	Steel tubes for manufacturing of ball bearings	14
	Aluminum and manufactures	
630000	Ingots, slabs, pigs and other crude forms	68
630301	Sheets, plates and strip	65
630305	Bars and rods, rolled	61
630305	Bars and rods, extruded	64
630400	Aluminum foil and leaf (less than .006 inch in thickness)	69
630500	Blanks, rectangles, circles	65
630500	Forgings, castings	64
630500	Extruded shapes	64
630500	Tubing and tubes	66
630500	Molding, unfabricated	64
630500	Mill shapes rolled	63
630600	Wire	62
630850	Aluminum or aluminum bronze powders and paste (aluminum content)	67
	Copper and Manufactures	
642200	Copper pipes and tubes	52
642300	Copper plates, sheet, and strips	51
642400	Copper rods and bars (report copperweld bars in 642500; and wire bars in 641200)	50
642500	Copper wire and cable, bare (except electrodes) (report insulated copper wire in 709810, 709830, and 709850)	50
643998	Copper manufactures, n. e. s. (specify by name) (copper content):	
	Armored cable, sisal kraft (copper chief value)	50
	Powder	59
	Rolls	51
	Phosphor copper (if in the form of plates, sheet, flat and coiled strip)	55
	Rods, bars, wire	54
	Pipes and tubes	56
	Sisalkraft, copper-armored	50
	Copper base alloys and manufactures (includes brass and bronze)	
644900	Brass and bronze bars, rods and shapes (extruded, rolled and drawn)	54
645000	Brass and bronze plates, sheets, and strip (report window strip and shapes in 647998)	55
645300	Brass and bronze pipes and tubes (pipe coils included)	56
645700	Bare wire, phosphor bronze and bare wire, brass and bronze)	54
645700	Wire, insulated, brass and bronze	57
647913	Brass and bronze castings and forgings	58
647998	Brass and bronze manufactures, n. e. s., in following forms (copper content) (specify by name):	
	Dutch metal powder	59
	Gilding powder	
	Gold bronze powder	
	Metallic powder	
	Powder	
664905	Beryllium metals, alloys and scrap in the following forms (copper content) (specify by name):	
	Beryllium copper rods, bars, shapes, wire	54
	Beryllium copper strips, sheets, plates	55
	Beryllium powder	59
669198	Metal and metal composition manufactures, n. e. s., in following forms (copper content) (specify by name):	
	Beryllium alloy castings	58
	Beryllium alloy tubes	56
	Phosphor copper powder	59
	Cupro-nickel strips	55
	Cupro-nickel wire	54
	Copper nickel wire	54
	Nickel silver wire	54
	Dumet wire—copper clad steel wire	57
	Thermocouple wire	57
	Wire, cuprous, copper and nickel, resistance	57
661000	Nickel silver, or german silver in following forms (copper content) (Specify by name):	
	Bars	54
	Rods	54
	Sheet	55
709810	Building wire and cable	57
709830	Weatherproof and slow burning wire	57
709850	Insulated copper wire, n. e. s. (specify by name)	57

e. A new paragraph (d) is added to § 398.5 to read as follows:

(d) *Exceptions to time schedules.* Supplement 1 to Part 373 of this chapter establishes time schedules for submission of applications for licenses to export controlled materials. Under the conditions set forth herein, an exception to these time schedules is granted. If an applicant has in his possession or at his command the controlled materials he wishes to export and they are ready for prompt shipment, an application may be submitted to OIT at any time. In each such instance, the applicant must clearly indicate on the face of his application that the material is ready for export and that an allotment is not required. Applicant must also submit documentary evidence in the form of letters, telegrams, invoices, bills of sale, or other documents to substantiate the statement that the material is in applicant's possession or at his command within the calendar quarter during which application is made. Acceptance of applications meeting these conditions is not to be construed as assurance of approval by the Office of International Trade, since quota considerations may make this impossible.

This part of the amendment shall become effective as of September 13, 1951.

9. Part 398 *Priority ratings and supply assistance assigned by OIT* is amended by adding thereto a new section (§ 398.8) to read as follows:

§ 398.8 *Supply assistance for foreign petroleum operations*—(a) *Authority.* National Production Authority Order M–46A and Del. 12 assist operators of foreign petroleum projects by authorizing allotment symbols and priority ratings to expedite the procurement of materials needed for these projects.

(b) *Scope.* Order M–46A applies to any persons who are engaged in the petroleum industry (as defined in section 2 of the order) outside of the United States, its territories or possessions, or the Dominion of Canada; such persons will hereafter be referred to as "operators." Two procedures are established by the order, whereby priority assistance is made available to petroleum operators, to cover the following requirements:

(1) Materials to be used in a "large construction operation" (that is, any one complete construction operation with a total material cost over $10,000);

(2) Material required for any other use than in a large construction operation; that is, for use in production, small construction operations, maintenance, repair, operating supplies, and laboratory equipment.

(c) *Who may apply.* Any operator or his authorized agent who qualifies under the provisions of § 372.2 of this chapter may file applications for priority assistance or export licenses or both under this section.

(d) *When to apply.* Form PAD–26A should be filed as far as possible in advance of the time an allotment of controlled materials and priority assistance is required by an operator; this applies also to any amendments filed on Form PAD–26A.[2] No specific dates are fixed for filing in either case.

Form IT–824[2] covering an operator's requirements for other than large construction projects, for delivery in the first quarter of 1952, should be submitted immediately for materials required.

For materials the delivery of which is required in the second quarter of 1952, Form IT–824 should be submitted at the earliest possible date but not later than October 15, 1951.

For subsequent quarters, the following filing dates for Form IT–824 are hereby established:

(1) For all items appearing in Schedule II of Order M–46A: 180 days prior to the first day of the quarter in which the materials are required as indicated in Item 10 of the form;

(2) For all materials other than those appearing on Schedule II of Order M–46A: 90 days prior to the first day of the quarter in which the materials are required as indicated in Item 10;

(3) For emergency or interim assistance as defined in section 7 of Order M–46A, or for any other special purpose, no submission date is stipulated.

NOTE: See Supplement S–15 for facsimile of Form IT–824, copies of which may be obtained from the Office of International Trade, Department of Commerce, Washington 25, D. C., or from the Department of

[2] Filed as part of the original document.

Commerce field offices. Form PAD–26A may be obtained from the Petroleum Administration for Defense, Washington 25, D. C.

(e) *Instructions for Forms PAD–26A and IT–824.* All of the terms, conditions, provisions and instructions contained in Forms PAD–26A and IT–824 are hereby incorporated as a part of the regulations in Parts 370 to 399, inclusive, of this chapter, as though set forth herein.

(f) *Large construction operations.* A petroleum operator desiring priority assistance for materials required for use in a large construction operation for a foreign project located in a country other than Canada must file five (5) copies of Form PAD–26A with the Office of International Trade.

Where the Form PAD–26A is approved, one copy will be returned to the applicant, bearing the authentication of the Office of International Trade and authorizing the use of an appropriate allotment symbol and rating (as explained in paragraph (i) of this section) for the procurement of specific amounts and types of materials listed in the form and attachments. Rated orders or authorized controlled materials orders may not be placed by the applicant for materials needed for the large construction operation until he has received the approved copy of the PAD–26A.

Simultaneously with the Form PAD–26A, the operator must, when appropriate, apply for an SP license on Form IT–419, in accordance with instructions set forth in § 374.3 (a), (b), and (c) of this chapter; except that instead of certifying the materials requirements for a period of one year, they should be certified for the particular single project for which application is being filed. Accompanying the Form IT–419 (or Form PAD–26A where Form IT–419 is not required) the applicant must file the OIT acknowledgement card, Form IT–116, prepared in accordance with § 372.3 of this chapter, except that under the space for Schedule B number on the card, applicant should show "PAD–26A"; under the space for processing code, "PETR"; and under the space for commodity description should be typed the name of the project.

Form PAD–26A should not be used by applicants requiring:

(1) Materials for use in any one complete construction operation with a total material cost of $10,000 or less;

(2) Oil country tubular goods or other materials for use in drilling and completing oil and gas wells; and

(3) MRO materials.

Form IT–824 must be used for such purposes pursuant to NPA Order M–46A and as explained in paragraph (g) of this section.

Form PAD–26A should not be used to apply for assistance in procuring used material or equipment, or any materials or equipment obtainable without priority assistance.

Where the Form PAD–26A includes materials not obtainable through the allotment symbols and priority ratings authorized in Order M–46A (e. g., items which are under specific allocation control of NPA or some other Government agency), the applicant (in addition to itemizing the material in Section IV–A of Form PAD–26A) should file with the form executed copies of the individual application forms required to secure the material in accordance with special instruction (usually an M– order issued by NPA) promulgated by the agency. As part of the project approval, arrangements for processing the special applications with the appropriate agency will be made.

NOTE: The special provisions for including controlled materials and "A" products, which are contained in the instructions for filing Form PAD–26A, should be carefully observed by applicants, who should in this connection review the provisions of § 398.5.

(g) *Other than large construction operations (materials for use in production, small construction operations, maintenance, repair, operating supplies, and laboratory equipment)*—(1) *General.* A petroleum operator desiring priority assistance for materials required for use in other than a large construction operation as outlined in paragraph (f) of this section must file, for each quarter, five (5) copies of Form IT–824 with the Office of International Trade. Application is to be filed in accordance with instructions printed on the form. Included on the form will be all materials requirements of the operator for the quarter for which the form is filed, except materials covered in separate applications filed on PAD–26A as explained in paragraph (f) of this section.

In the event an applicant holds no validated export license at the time he seeks priority assistance for materials on the Positive List, the five copies of Form IT–824 must be attached to the Form IT–419. If the commodities for which supply assistance is requested have already been licensed, this fact shall be shown on the face of Form IT–824 with reference to the export license number and the amendment number.

The Office of International Trade will return one copy of the Form IT–824, indicating the extent of its approval and the appropriate allotment symbol and priority rating for the procurement of specific amounts and types of materials as listed in the form and attachments.

However, any applicant holding a program letter from the Petroleum Administration for Defense may automatically, and without securing prior approval of his Form IT–824 from the Office of International Trade, use the appropriate priority rating to obtain any materials other than those listed in Schedule II of Order M–46A. (A "program letter" means a letter from the Petroleum Administration for Defense to an applicant, approving an operating program to be carried out by the applicant.) To obtain items listed in Schedule II of the order, the applicant may not use an allotment symbol or a priority rating until his Form IT–824 has been returned to him by the Office of International Trade indicating the extent of its approval and specifically authorizing the use of the appropriate symbols on the Schedule II items. An applicant not holding the program letter may not use a priority rating in advance of his receipt of the approved IT–824 from OIT.

Even if an applicant has a program letter and no Schedule II items are involved, he must obtain an export license, where required by Parts 370 through 399 of this chapter. SP or DL license holders, must file on Form IT–824, since this form, validated by OIT, is an export license. Other applicants must file for an export license on Form IT–419.

NOTE: It should be noted that Schedule II is subject to amendment from time to time, and that, in advance of formal amendment of order M–46A, the Petroleum Administration for Defense may give notice by letter of such prospective amendment to all operators to whom a program letter has been issued. Operators receiving such notice may not, after the effective date specified in the notice, use priority ratings to secure any items being added to Schedule II, until and unless specific approval has been obtained through receipt of an approved Form IT–824.

(2) *Special provisions for applying for supply assistance for oil country tubular goods on Form IT–824.* When oil country tubular goods (casing, tubing, and drill pipe), Schedule B. Nos. 606250 and 606350, are to be included in the IT–824, the following specific information must be furnished by the applicant. This is in addition to the information required by the instructions printed on the form itself. Supplemental sheets may be attached to the form as required.

NOTE: For the first quarter 1952 only the additional information required for Item 12a need be submitted; all other additional information required by these special provisions may be omitted. For the second quarter 1952 and all subsequent calendar quarters complete details must be furnished.

(i) In Item 11 (d), Quantity in Transit and in Inventory: By individual Schedule B number, list separately all casing, tubing, and drill pipe, showing quantity of each size and grades. In the case of drill pipe, show new drill pipe separately, and immediately below this entry, list used drill pipe that has drilled less than 50,000 feet of hole.

These in-transit and in-inventory figures must be stated as of the date two weeks prior to the date of submission of Form IT–824; state the exact calendar date.

(ii) In Item 11 (e), Quantity Used: Show by Schedule B numbers and by sizes and grades, the quantities of casing and tubing used during the quarter immediately preceding the date on which the application is submitted; state specifically the quarter covered. In addition, show the wells completed, by fields, where the casing was used.

(If this information has been submitted previously to any other U. S. Government agency, the same form and terminology used in this prior submission should be continued.)

(iii) In Item 12, Quantity Required: Supply the following information for each Schedule B number:

(*a*) Requirements of casing, tubing, and drill pipe, by size and grade;

(*b*) Number of wells, by fields, where this casing, tubing, and drill pipe is to be used;

(c) Surfaces acres of well and tonnage per well;

(d) State whether each well is a wildcat or exploitation well; if exploitation, indicate the MER.

(3) *Special provisions for applying for supply assistance for seamless line pipe and welded line pipe on Form IT–824.* When seamless line pipe, Schedule B No. 606290, and welded line pipe, Schedule B No. 606390, are to be included in the IT–824, the following information must be furnished by the applicant. This is in addition to the information required by the instructions printed on the form itself. Supplemental sheets may be attached to the form as required.

(i) In Item 11 (d), Quantity in Transit and in Inventory: By individual Schedule B number, show separately quantity of all pipe in stock and in transit by sizes as of two weeks prior to the date of submission of Form IT–824; show exact calendar date used.

(ii) In Item 11 (e), Quantity Used: By Schedule B number and by size, show quantities of line pipe used during the quarter immediately preceding the date on which the application is submitted; state specifically the quarter covered.

(iii) In Item 12, Quantity Required: For each Schedule B number, state quantity required, by size; and as nearly as possible, where the pipe is to be used.

(4) *Special requirement for oil country tubular goods, Schedule B Nos. 606250 and 606350.* Within forty-eight (48) hours after placing orders covering oil country tubular goods, Schedule B Nos. 606250 and 606350, bearing allotment symbols issued pursuant to authorization received on Form IT–824 from the Office of International Trade, applicant must submit to the Petroleum Division of OIT one legible copy of each purchase order. In addition, at least 60 days prior to the beginning of the quarter for which use of the allotment symbol was authorized, each operator must advise the Petroleum Division of OIT by letter, in duplicate, of any quantities authorized for which purchase orders have not been placed and accepted for delivery during the designated quarter.

(h) *Amendments.* Form PAD–26A need be filed only once for a complete operation although it may be used as an amendment form to effect changes in delivery dates or quantities of material required for use in the project covered by the original form. Where the form is used as an amendment, reference must be made to the original authorized document and requested adjustments must be specifically set forth.

In addition to the quarterly required filing of Form IT–824, this form may also be used to request priority assistance where the operator requires materials not included on his current Form IT–824 or requires material in greater quantities or on earlier dates than shown on his current Form IT–824. In filing this form for such emergency or interim assistance, the operator need itemize only those items in these quantities on which assistance is being requested. Reference must be made in this supplemental request to the current Form IT–824 which the operator holds.

(i) *Assignment and use of allotment symbols and DO ratings.* Upon returning an approved Form PAD–26A or Form IT–824, the Office of International Trade will authorize the applicant to use the following allotment symbols and priority ratings to purchase the quantities and types of materials specifically listed in the forms and their attachments:

	ECA countries [1]	Other (except Canada)
Controlled materials and "A" products [2]	W–4	W–2
Other	DO–W–4	DO–W–2

[1] Listed in § 398.1(c).
[2] Listed in § 398.5(e) and explained in § 398.5.

The allotment symbol for controlled materials and "A" products, as authorized, will include a quarterly designation (e. g. W–4–1Q52) and will be used in this form by the applicant in placing his purchase order. This quarterly designation represents the calendar quarter of the year during which the operator is permitted to take delivery in the United States of authorized quantities of controlled material, as set forth in section 2 (d) of Order M–46A.

In order to use any of the four symbols listed above, the applicant must endorse on or attach to each delivery order the appropriate symbol as well as a certification in the following form:

Certified under NPA Order M–46A

The priority ratings DO–W–4 and DO–W–2, for the appropriate countries as designated above, may be used by holders of program letters to procure material other than that listed in Schedule II of Order M–46A as amended from time to time without securing prior approval of his Form IT–824 from the Office of International Trade as set forth in paragraph (g) of this section. However, this advance authority does not exist for large construction operations referred to in paragraph (f) of this section.

Any operator who is eligible to obtain priority assistance under the provisions of Order M–46A is not permitted to use any form of priority assistance otherwise made available, to the extent that such assistance is available through M–46A. (This provision of the order, however, does not prevent the re-rating of any delivery pursuant to applicable regulations or procedures, or the use of priority assistance otherwise granted where specific directions to this effect have been issued.)

(j) *Revocation or denial.* If an export license is revoked or an application for a license is denied, any symbol authorized by M–46A for material covered by such export license or license application is simultaneously revoked. The operator must then notify his supplier(s) of the revocation or denial and may take no delivery of material ordered by use of such symbol. The operator must also promptly notify the Office of International Trade and the Petroleum Administration for Defense of the cancellation of any orders for any affected Schedule II item or any item designated as a Schedule II item.

NOTE: The National Production Authority has ruled that orders rated under this regulation, for MRO supplies as defined in NPA Order M–79, which are filled by a manufacturer having a quota established under M–79, must be charged to his M–79 quota to the extent provided in that order.

This part of the amendment shall become effective as of September 13, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51–11430; Filed, Sept. 21, 1951; 8:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5386]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CAMERAMAN AND HENRY J. HANDELSMAN, JR., INC.

Subpart—*Advertising falsely or misleadingly:* § 3.70 *Fictitious or misleading guarantees;* § 3.75 *Free goods or services;* § 3.130 *Manufacture or preparation;* § 3.155 *Prices; usual as reduced, special, etc.;* § 3.170 *Qualities or properties of product or service;* § 3.185 *Refunds, repairs, and replacements;* § 3.200 *Sample, offer or order conformance;* § 3.250 *Success, use or standing.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure;* § 3.1695 *Scientific or relevant facts.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal;* § 3.1955 *Free goods;* § 3.2010 *Money back guarantee;* § 3.2030 *Repair or replacement guarantee;* § 3.2060 *Sample, offer, or order conformance.* In connection with the offering for sale, sale, and distribution of cameras or other merchandise in commerce, (1) representing directly or by implication, (a) that cameras which are not equipped with fast lenses are so equipped; (b) that cameras which will not take sharp, clear pictures of things or persons in motion or still will take such pictures; (c) that cameras not nationally advertised are so advertised; (d) that any article the cost of which is included in the purchase price of other merchandise in connection with which such article is offered is given free; (e) that cameras which do not have the appearance, performance, or durability of higher-priced cameras have such appearance, performance, or durability; (f) that cameras or other articles of merchandise are being offered at a reduced or special price, when in fact such price is not lower than respondents' usual and customary price for such merchandise; or, (g) that cameras will take color pictures, without revealing that the reproduction of actual color is a property of

the film and not of the camera; (2) representing that refunds will be made to dissatisfied customers unless such refunds are in fact made; and, (3) representing that cameras are guaranteed to give a lifetime of service unless cameras broken because of defective materials or workmanship are replaced by respondents; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Modified cease and desist order, The Camerman and Henry J. Handelsman, Jr., Inc., Docket 5386, July 12, 1951]

In the Matter of Henry J. Handelsman, Jr., Birdye Handelsman, and William Handelsman, individually and as copartners, trading and doing business as The Camera Man, and Henry J. Handelsman, Jr., Inc., a corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, and a stipulation as to the facts entered into between counsel for the respondents herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which stipulation provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceedings; and

The Commission, after having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act, on June 7, 1946, issued and subsequently served upon the respondents said findings as to the facts, conclusion, and its order to cease and desist; and

This proceeding having been reopened and said findings as to the facts, conclusion, and order to cease and desist having been set aside; and the Commission having made its modified findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the individual respondents Henry J. Handelsman, Jr., Birdye Handelsman, and William Handelsman, jointly or severally, their representatives, agents, and employees, and Henry J. Handelsman, Jr., Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of cameras or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication:

(a) That cameras which are not equipped with fast lenses are so equipped.

(b) That cameras which will not take sharp, clear pictures of things or persons in motion or still will take such pictures.

(c) That cameras not nationally advertised are so advertised.

(d) That any article the cost of which is included in the purchase price of other merchandise in connection with which such article is offered is given free.

(e) That cameras which do not have the appearance, performance, or durability of higher-priced cameras have such appearance, performance, or durability.

(f) That cameras or other articles of merchandise are being offered at a reduced or special price, when in fact such price is not lower than respondents' usual and customary price for such merchandise.

(g) That cameras will take color pictures, without revealing that the reproduction of actual color is a property of the film and not of the camera.

2. Representing that refunds will be made to dissatisfied customers unless such refunds are in fact made.

3. Representing that cameras are guaranteed to give a lifetime of service unless cameras broken because of defective materials or workmanship are replaced by respondents.

Issued: July 12, 1951.

By the Commission.

[SEAL] WM. P. GLENDENING, JR.,
Acting Secretary.

[F. R. Doc. 51-11431; Filed, Sept. 21, 1951; 8:47 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS SECURITIES EXCHANGE ACT OF 1934

REGISTRATION AND REPORTING

Statement of purpose. The Securities and Exchange Commission has amended the following rules under the Securities Exchange Act of 1934 dealing with the preparation and filing of applications and reports under that act:

Section 240.12b-11 (Rule X-12B-11) has been amended to require only three copies of applications and reports to be filed with the Commission unless additional copies are required by the instructions contained in the particular form. Previously the rules required four copies of all such material to be filed with the Commission.

Section 240.12b-12 (Rule X-12B-12) previously required applications and reports to be printed, mimeographed or typewritten. The amended rule permits them to be lithographed or prepared by any similar process which produces copies of the requisite clarity and permanence. Further amendments clarify the requirements with respect to the size of type to be used.

Sections 240.13a-13 and 240.15d-13 (Rules X-13A-13 and X-15D-13), which relate to the filing of quarterly reports or gross sales and operating revenues, have been amended so as to make it clear that such reports are required to be filed by title insurance companies. They previously provided that such quarterly reports need not be filed by an "insurance company". This language has been changed to read any "insurance company (other than title insurance companies)".

Statutory basis. These amendments are adopted pursuant to the Securities Exchange Act of 1934, particularly sections 12, 13, 15 (d) and 23 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act.

Text of rules. The text of the amendments follows:

§ 240.12b-11 *Number of copies; signatures; binding.* (a) Except as provided in a particular form, three complete copies of each application or report, including exhibits and all other papers and documents filed as a part thereof, shall be filed with the Commission. At least one complete copy of each application shall be filed with each exchange on which the securities covered thereby are being registered. At least one complete copy of each report under section 13 of the act shall be filed with each exchange on which the registrant has securities listed and registered.

(b) At least one copy of the application or report filed with the Commission and one copy thereof filed with each exchange shall be manually signed in the manner prescribed by the appropriate form. If the application or report is typewritten, one of the signed copies filed with the Commission shall be an original "ribbon" copy. Unsigned copies shall be conformed. If the signature of any person is affixed pursuant to a power of attorney or other similar authority, a copy of such power of attorney or other authority shall also be filed with the application or report.

(c) Each copy of an application or report filed with the Commission or with an exchange shall be bound in one or more parts. Copies filed with the Commission shall be bound without stiff covers. The application or report shall be bound on the left side in such manner as to leave the reading matter legible.

§ 240.12b-12. *Requirements as to paper, printing and language.* (a) Applications and reports shall be filed on good quality, unglazed, white paper 8½ x 13 inches in size, insofar as practicable. However, tables, charts, maps and financial statements may be on larger paper if folded to that size.

(b) The application or report and, insofar as practicable, all papers and documents filed as a part thereof, shall be printed, lithographed, mimeographed or typewritten. However, the application or report or any portion thereof may be prepared by any similar process which, in the opinion of the Commission, produces copies siutable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable and suitable for repeated photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

(c) The body of all printed applications and reports shall be in roman type at least as large as ten-point modern

type. However, to the extent necessary for convenient presentation, financial statements and other statistical or tabular data and the notes thereto may be in type at least as large as eight-point modern type. All type shall be leaded at least two points.

(d) Applications and reports shall be in the English language. If any exhibit or other paper or document filed with an application or report is in a foreign language, it shall be accompanied by a translation into the English language.

§ 240.13a–13. *Quarterly reports of other companies.* (a) Every issuer which has securities listed and registered on a national securities exchange and which is required to file annual reports on Form 10–K (17 CFR 249.310) or U5S (17 CFR 259.5s) or to file a report on one of such forms as Part II of Form 16–K (17 CFR 249.316), shall file a quarterly report on Form 9–K (17 CFR 249.309) for each fiscal quarter ending after the close of the latest fiscal year for which financial statements were filed in the issuer's application for registration.

(b) Such reports shall be filed not more than 45 days after the end of the fiscal year for which they are filed. However, the report for any fiscal quarter ending prior to the date on which securities of the issuer first become effectively registered on a national securities exchange may be filed not more than 45 days after the effective date of such registration.

(c) This section shall not apply to any bank, bank holding company, insurance company (other than title insurance companies), investment company, common carrier, public utility company, or any company primarily engaged in the production and sale of a seasonal, single-crop agricultural commodity.

§ 240.15d–13. *Quarterly reports of other companies.* (a) Every issuer which is required to file annual reports on Form 10–K (17 CFR 249.310) or U5S (17 CFR 259.5s) shall file a quarterly report on Form 9–K (17 CFR 249.309) for each fiscal quarter ending after the close of the latest fiscal year for which financial statements were included in the issuer's registration statement.

(b) Such reports shall be filed not more than 45 days after the end of the fiscal quarter for which they are filed. However, the report for any quarter ending prior to the effective date of the registration statement may, unless the issuer was subject to this rule prior to such date, be filed not more than 45 days after the effective date of the registration statement.

(c) This section does not apply to foreign governments or political subdivisions thereof; foreign private issuers other than Canadian, Cuban, Mexican or Philippine issuers; issuers of American certificates against foreign issues; or to any bank, bank holding company, insurance company (other than title insurance companies), investment company, common carrier, public utility company, or any company primarily engaged in the production and sale on a seasonal single-crop agricultural commodity.

The foregoing amendments shall become effective October 17, 1951.

(Sec. 23, 48 Stat. 901, as amended; 15 U. S. C. 78w. Interpret or apply secs. 12, 13, 15, 48 Stat. 892, 894, 895 as amended; 15 U. S. C. 781, 78m, 780)

By the Commission.

[SEAL] NELLYE T. THORSEN, *Assistant Secretary.*

SEPTEMBER 17, 1951.

[F. R. Doc. 51–11441; Filed, Sept. 21, 1951; 8:49 a. m.]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

MISCELLANEOUS AMENDMENTS

Purpose of amendment. Item 15 of Form 8–K (17 CFR 249.308) has been amended so as to make it clear that registrants under the Securities Act of 1933 which are required to file current reports on this form need keep up to date only those exhibits which are required to be kept up to date by a company having securities listed and registered on a national securities exchange.

The amended item also provides that where previously filed exhibits are amended or modified, copies of the entire exhibits as amended or modified to date shall be filed where it is practicable to do so. Where that is not practicable, copies of the amendment or modification only may be filed, but in such case the registrant must identify each previous filing in which the original exhibit or any amendment or modification has been filed.

Statutory basis. The amendment is adopted pursuant to the Securities Exchange Act of 1934, particularly sections 13, 15 (d) and 23 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act.

The text of the amended item 15 of Form 8–K (17 CFR 249.308) is as follows:

Item 15. Exhibits. (a) If any exhibit previously filed has been materially amended or modified, identify such exhibit and state the general effect of the amendment or modification. Where practicable, copies of the exhibit as amended or modified to date shall be attached as an exhibit to the report. Where that is impracticable, attach copies of the amendment or modification and identify each previous filing in which the original exhibit or any amendment or modification thereof was filed.

(b) If any document which would be required as an exhibit to an original application for registration of securities on an exchange has been executed or otherwise put into effect, identify the document and attach copies thereof as an exhibit to the report.

(c) If any contract or indenture, any bonus, profit-sharing or pension plan or any voting trust agreement previously filed has been terminated otherwise than in due course, identify the document and state the date and manner of its termination.

Instruction. Registrants filing reports pursuant to section 15 (d) of the act need not answer this item with respect to any document which would not be required as an exhibit to an original application for registration of securities on an exchange.

AMENDMENT TO FORM 10–K (17 CFR 249.310)

Purpose of amendment. Under the requirements as heretofore existing, a registrant has been required to file with the Commission four copies of all applications and reports required under the Securities Exchange Act of 1934. The Commission now finds that, with the exception of reports on Form 10–K, three copies of such filings are sufficient. Accordingly, Form 10–K has been amended to require the filing of four copies of all reports on that form, and § 240.12b–11 (Rule X–12B–11) has also been concurrently amended to require only three copies of all other applications and reports.

Instruction 7 of the Instructions as to Financial Statements in Form 10–K has been amended to make it clear that financial statements filed for title insurance companies must be certified. This amendment merely continues the requirement heretofore in effect with respect to the certification of financial statements of such companies.

The Instructions as to Exhibits in Form 10–K have been amended to make it clear that registrants under the Securities Act of 1933 which are required to file reports on this form need keep up to date only those exhibits which would be required as exhibits to an original application for registration of securities on a national securities exchange. The amendment also provides that where a previously filed exhibit has been amended or modified, copies of the exhibit as so amended or modified shall be filed where it is practicable to do so. Where that is impracticable, the registrant must file copies of the amendment or modification and identify the previous filings in which the original exhibit or any amendment or modification thereof has been filed.

Statutory basis. These amendments are adopted pursuant to the Securities Exchange Act of 1934, particularly sections 13, 15 (d) and 23 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act.

I. Instruction B of the General Instructions in Form 10–K (17 CFR 249.310) is amended to read as follows:

B. *Application of general rules and regulations.* (a) The general rules and regulations under the act contain certain general requirements which are applicable to reports on any form. These general requirements should be carefully read and observed in the preparation and filing of reports on this form.

(b) Particular attention is directed to Regulation X–12B which contains general requirements regarding matters such as the kind and size of paper to be used, the legibility of the report, the information to be given whenever the title of securities is required to be stated, and the filing of the report. The definitions contained in Rule X–12B–2 (§ 240.12b–2) should be especially noted.

(c) Four complete copies of each report on this form, including exhibits and all papers and documents filed as a part thereof, shall be filed with the Commission, except that only three copies of reports filed pur-

suant to General Instruction F need be filed with the Commission.

II. Instruction 7 of the Instructions as to Financial Statements is amended to read as follows:

7. *Statements of banks and insurance companies.* Notwithstanding the requirements of the foregoing instructions, financial statements filed for banks or insurance companies (other than title insurance companies) need not be certified.

III. The Instructions as to Exhibits are amended to read as follows:

Instructions as to exhibits. Subject to the rules regarding incorporation by reference, the following exhibits shall be filed as a part of the report:

(a) If any exhibit previously filed has been materially amended or modified, identify such exhibit and state the general effect of the amendment or modification. Where practical, copies of the exhibit as amended or modified to date shall be attached as an exhibit to the report. Where that is impracticable, attach copies of the amendment or modification and identify each previous filing in which the original exhibit or any amendment or modification thereof was filed.

(b) File copies of any document not previously filed which would be required as an exhibit to an original application for registration of securities on an exchange, if the registrant were currently filing such an application.

Registrants filing reports pursuant to section 15 (d) of the act need not file copies of any document which would not be required as an exhibit to an original application for registration of securities on an exchange.

AMENDMENT TO FORM 10 (17 CFR 249.210)

Purpose of amendment. Instruction 18 of the Instructions as to Financial Statements in Form 10, which is the principal form for registering securities on an exchange, has been amended to make it clear that financial statements filed for title insurance companies must be certified. This amendment merely continues the requirement heretofore in effect with respect to the certification of financial statements of such companies.

Statutory basis. This action is taken pursuant to the Securities Exchange Act of 1934, particularly sections 12 and 23 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act.

The text of the amendment of Form 10 (17 CFR 249.210) is as follows:

18. *Statements of banks and insurance companies.* Notwithstanding the requirements of the foregoing instructions, financial statements filed for banks or insurance companies (other than title insurance companies) need not be certified.

The foregoing action shall become effective October 17, 1951.

(Sec. 23, 48 Stat. 901, as amended; 15 U. S. C. 78w. Interpret or apply secs. 12, 13, 15, 48 Stat. 892, 894, 895 as amended; 15 U. S. C. 78l, 78m, 78o)

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

SEPTEMBER 17, 1951.

[F. R. Doc. 51-11442; Filed, Sept. 21, 1951; 8:49 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter T—Patents in Fee, Competency Certificates, Sales and Reinvestment of Proceeds

PART 241—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS.

MORTGAGES AND DEEDS OF TRUST TO SECURE LOANS TO INDIANS

A new subheading and § 241.52 are added to read as follows:

MORTGAGES AND DEEDS OF TRUST TO SECURE LOANS TO INDIANS

§ 241.52 *Approval of mortgages and deeds of trust.* The Commissioner of Indian Affairs or his authorized representative may approve mortgages or deeds of trust on any individually owned trust or restricted land whenever such lands under any law or treaty may be sold with the approval of the Secretary of the Interior or his duly authorized representative.

(R. S. 161; 5 U. S. C. 22)

OSCAR L. CHAPMAN,
Secretary of the Interior.

SEPTEMBER 18, 1951.

[F. R. Doc. 51-11407; Filed, Sept. 21, 1951; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 3, Sub-Order 2, Amdt. 2]

DFO 3—AGRICULTURAL IMPORTS

SO 2—POLICY STATEMENT RE IMPORT AUTHORIZATIONS FOR CERTAIN DAIRY PRODUCTS

Sub-Order 2 containing a statement of the policies relating to the issuance of import authorizations for certain dairy products (16 F. R. 7936, 8273) under Defense Food Order 3, as amended (16 F. R. 7934), is hereby amended pursuant to the authority vested in me by said Defense Food Order 3, as amended. Consultation with industry representatives concerning this amendment has been rendered impractical. It is necessary to make the policies relating to issuance of authorizations under Defense Food Order 3, as amended, known to the public promptly to facilitate the proper operation of said Defense Food Order. This amendment affects numerous segments of the economy and time is not available to permit consultation with all affected segments. Accordingly, consultation with industry representatives has been omitted.

Sub-Order 2 under Defense Food Order 3, as amended, is hereby amended by deleting section 1 (b) and (c) thereof and substituting therefor the following paragraphs respectively:

(b) *Cheese.* Import authorizations will be issued for cheese as follows: (1) Any importer who is desirous of securing import authorization for any type of cheese and who imported such cheese in the three-year base period January 1, 1948, through December 31, 1950, must submit documentary evidence satisfactory to the Director showing by country of origin the imports of such cheese through customs made in his own name as the importer of record during the specified base period. Authorizations will be issued to such an importer, limiting the quantity of the particular type of cheese to be imported during the period beginning with August 9, 1951, through December 31, 1951, to an amount not in excess of five-twelfths of the average annual quantity of such type of cheese he actually imported during the specified base period. In case any such importer did not import a particular type of cheese at any time in 1948, an adjusted quota will be established for him, taking into consideration the percentage which his imports of such cheese constituted of the total imports of such cheese during the remainder of the base period beginning with the calendar quarter in which he began such importations, and such other factors as must be considered to avoid inequities. Such adjusted quotas will be established only if the application submitted by the applicant shows that he did not at any time in 1948 import the particular type of cheese for which application is made.

(2) Any importer who is desirous of securing authorization to import any type of cheese prior to December 31, 1951, and whose application shows he did not import such cheese at any time during the specified base period, but who did import such cheese in the period January 1, 1951, through August 8, 1951, must submit documentary evidence satisfactory to the Director showing by country of origin the imports of such cheese through customs made in his own name as the importer of record in the period January 1, 1951 through August 8, 1951. In issuing such authorizations, consideration will be given to the percentage which the applicant's imports of such cheese prior to July 1, 1951, constituted of the total imports of such cheese during the part of the period January 1, 1951, through June 30, 1951, beginning with the calendar month in which he began such importations, and such other factors as must be considered to avoid inequities.

(3) Authorizations totaling not in excess of 100,000 pounds will be granted for importation of cheese from particular countries prior to December 31, 1951, to small independent enterprises which are in the business of importing dairy products other than cheese and which have not received any import authorizations under subparagraph (1) or (2) of this paragraph. The amount authorized for any applicant under this paragraph will not exceed 1,000 pounds. Applications for authorization under this paragraph must state the country from which the applicant intends to import the cheese and the type of cheese to be imported and must include a statement concern-

ing the size and nature of his business enterprise.

(4) Import authorizations for cheese will be issued to small plants as required by section 714 of the Defense Production Act, as amended.

(5) Authorizations will be issued for the importation of cheese which was in transit to the United States on August 9, 1951, but amounts so authorized for any importer shall be deducted from amounts of cheese authorized for such importer under subparagraph (1), (2) or (3) of this paragraph.

(6) Authorizations issued to any applicant in accordance with subparagraph (1) or (2) of this paragraph will specify the quantities which may be imported from each particular country of origin, and such quantities will be based upon the proportionate quantities imported by the applicant from such country during the relevant period prescribed in such paragraph.

(c) *Procedure re applications.* Applications for import authorizations for any of the products covered by this Sub-Order should be filed with the Director, Office of Requirements and Allocations, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. The evidence required by paragraph (a) (1) of this section for casein or lactarene, and mixtures in chief value thereof, and by paragraph (b) (1) and (2) of this section for cheese, should be submitted as a part of applications for import authorization for such products under such paragraphs, as follows. The applicant must submit a summary statement of his importations, during the period specified in paragraphs (a) (1), (b) (1) or (2) of this section, as the case may be, of the particular product for which authorization is desired. This statement must show the following for each entry: the customhouse entry number, port of entry, date of entry, country of origin, name of steamer on arrival, and the quantity in net pounds, exclusive of the weight of the containers. In addition, summary statements listing importations of cheese must show the type of cheese that was imported. The applicant must sign the summary statement, including a statement that it is correct to the best of his knowledge and belief. A customhouse broker must also sign the summary statement, including a statement that the imports specified were made in the name of the applicant as the importer of record or by the customhouse broker for the account of the applicant. If such a certification is not obtained from a customhouse broker, other evidence concerning the applicant's importations must be submitted. The customs entry with receipt for duty paid will be acceptable for this purpose. If the customs entry and receipt are unavailable, the applicant may submit the consular or commercial invoice, his copies of the letters of credit and bills of lading, and his cancelled checks covering payments for the products involved, or other documentary evidence. These documents will be returned to the applicant.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

NOTE: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 19th day of September 1951, effective immediately.

[SEAL] F. MARION RHODES,
Director, Office of Requirements and Allocations, Production and Marketing Administration.

[F. R. Doc. 51-11544; Filed, Sept. 21, 1951; 11:59 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

INSTRUCTIONS RELATING TO ESTABLISHMENT OF RATE OF PENSION FOR AID AND ATTENDANCE

A new § 3.1513 is added as follows:

§ 3.1513 *Instructions relating to the establishment of a rate of pension for aid and attendance under Part III, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12).* (a) Public Law 149, 82d Congress, amends paragraph I (f), Part III, Veterans Regulation 1 (a), as amended, to reflect therein the rates of disability pension presently payable under Public Law 313, 78th Congress, as amended by section 2, Public Law 662, 79th Congress. In addition, it provides a new rate of disability pension of $120 monthly "when an otherwise eligible person is or hereafter becomes, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person."

(b) Helplessness of such degree as to require regular aid and attendance of another person shall be determined on an individual basis under the criteria contained in § 3.176. Corrected visual acuity of 5/200 or less, both eyes, or concentric contraction of the visual field to 5 degrees or less shall qualify for the $120 rate without a showing of the need for aid and attendance.

(c) Section 1 (b) of Public Law 149, 82d Congress, reads that "The provisions of subsection (a) of this section shall apply to veterans of both World War I and World War II." However, since Public Law 28, 82d Congress, expressly provides "that any person who shall have served in the active service in the armed forces of the United States on or after June 27, 1950" and prior to the delimiting date contained therein "shall, subject to any provisions of law and veterans' regulations administered by the Veterans Administration * * * be entitled to compensation or pension provided by law for persons who served during the period of World War II," the provisions of the instant law shall be equally applicable to veterans of service described in Public Law 28, 82d Congress. Veterans within the provisions of paragraphs 1 (a) and (b), Part III, Veterans Regulation 1 (a), are also included within the purview of Public Law 149, 82d Congress.

(d) Section 2 of Public Law 149, 82d Congress, provides that "where eligibility for pension or increase of pension is established by virtue of this act, pension shall be paid from date of receipt hereafter of an application in the Veterans Administration, but in no event prior to the first day of the second calendar month following the enactment of this act." The effective date of pension or increased pension pursuant to section 2, Public Law 149, 82d Congress, is the date of the receipt of the claim, or the date entitlement is shown, whichever is the later, but in no event prior to November 1, 1951.

(e) Where a veteran is furnished hospital treatment, institutional or domiciliary care by the Veterans' Administration and is furnished with nursing or attendant's service, the award of pension will be the basic $60 or $72 monthly rate authorized by the rating decision exclusive of the additional amount on account of the need of regular aid and attendance. The reduced rate of pension in such instances will be effective as of the date of maintenance of the disabled veteran in an institution by the Veterans' Administration. The pension in all cases covered by Public Law 149, 82d Congress, is subject to the limitations contained in § 3.255. (Instruction No. 1, Public Law 149, 82d Congress.)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation effective September 22, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-11486; Filed, Sept. 21, 1951; 8:57 a. m.]

TITLE 47—TELECOMMUNICATIONS

Chapter I—Federal Communications Commission

PART 13—COMMERCIAL RADIO OPERATORS

TEMPORARY LIMITED RADIOTELEGRAPH SECOND CLASS OPERATOR LICENSE

In the matter of amendment of Part 13 of the Commission's rules with respect to eligibility requirements for the class of operator license designated "temporary limited radiotelegraph second class operator license".

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of September 1951;

The Commission having under consideration a proposal to amend Part 13 of its rules with respect to the eligibility requirements for the class of operator license designated "temporary limited radiotelegraph second-class operator license", to permit issuance of such licenses to a number of previous holders thereof and others not presently eligible for such licenses;

It appearing, that the Commission's attention has been directed to the fact that there exists a continuing shortage of available licensed radiotelegraph op-

erators to operate licensed radiotelegraph equipment on board vessels of the United States and that the situation necessitates immediate action by the Commission; and

It further appearing, that it would be in the public interest to provide for the issuance of temporary limited radiotelegraph second-class operator licenses to eligible persons found qualified in the manner set forth below; and

It further appearing, that in view of the urgent need for immediate action in this matter caused by the present national emergency, compliance with the public notice and procedure provided for in section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest, and for the same reason this order may be made effective immediately; and

It further appearing, that authority for the amendment of Part 13 of the Commission's rules as appropriate is contained in sections 4 (i) and 303 (l) and (r) of the Communications Act of 1934, as amended;

It is ordered, That effective immediately, Part 13 of the Commission's rules be, and it hereby is, amended as shown below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Section 13.5 (d) of the Commission's rules is amended as follows:

(d) Even though otherwise eligible to apply for an operator license, no person shall be eligible to apply for a temporary limited radiotelegraph second-class operator license except a person who on or after January 1, 1935 held, but does not hold at the time of filing application, a license which was valid and outstanding on its date of expiration in the following categories:

(1) A radiotelegraph first or second-class operator license;

(2) A temporary limited radiotelegraph second-class operator license issued after examination;

(3) A temporary limited radiotelegraph second-class operator license issued on the basis of having previously held at any time a radio telegraph first or second-class operator license. When a temporary limited radiotelegraph operator license is sought under this third category, the applicant shall show that he has had at least six months' satisfactory service in the aggregate as a qualified radiotelegraph operator on board a ship or ships of the United States while holding a temporary limited radiotelegraph second-class operator license previously issued by the Commission.

2. Section 13.94 of the Commission's rules is amended by rewording the first paragraph as follows:

§ 13.94 *Statement in lieu of service endorsement.* The holder of a radiotelegraph license or a restricted radiotelegraph operator permit desiring an endorsement to be placed thereon attesting to an aggregate of at least 6 months' satisfactory service as a qualified operator on a vessel of the United States or an applicant for a temporary limited radiotelegraph operator license under § 13.5 (d) (3) may, in the event documentary evidence cannot be produced, submit to any office of the Commission a statement under oath accompanied by the license to be endorsed or the application, embodying the following:

[F. R. Doc. 51-11437; Filed, Sept. 21, 1951; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF STATE

International Claims Commission

[22 CFR Parts 300, 301, 302]

GENERAL AND SPECIAL RULES OF PRACTICE AND PROCEDURE FOR CLAIMS

NOTICE OF PROPOSED RULE MAKING

Pursuant to the International Claims Settlement Act of 1949 (Pub. Law 455, 81st Congress; 64 Stat. 12; 22 U. S. C. secs. 1621 to 1627, incl.) and to section 4 (a) of the Administrative Procedure Act of 1946 (Pub. Law 404, 79th Congress), notice is hereby given of intention to issue general and special rules of practice and procedure for claims before the International Claims Commission of the United States. In order to set forth the rules of the International Claims Commission into separate and distinct parts, namely, general rules of Practice and Procedure and special rules pertaining to claims agreements in force between the United States and certain foreign governments, Chapter III of this title is revised and amended to read as follows:

Interested persons are hereby given an opportunity (1) to submit their views and other relevant information with respect to the proposed rules in writing to the International Claims Commission of the United States, Department of State, Washington 25, D. C., within thirty (30) days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER; or (2) to submit their views and other relevant information with respect to the proposed rules orally before the International Claims Commission of the United States, at the hearing room of the International Claims Commission, room 2031, Temporary Building V, 1400 Pennsylvania Avenue NW., Washington, D. C., commencing at 10:00 a. m. on October 17, 1951.

PART 300—GENERAL RULES OF PRACTICE AND PRECEDURE

Sec.

AUTHORITY: §§ 300.1 to 300.28 issued under sec. 3, 64 Stat. 13; 22 U. S. C. Sup. 1622. Interpret of apply secs. 4, 5, 7, 64 Stat. 13, 16; 22 U. S. C. 1623, 1624, 1626.

§ 300.1 *Scope.* This part governs the rules of practice and procedure before the International Claims Commission of the United States established by the International Claims Settlement Act of 1949 (Pub. Law 455, 81st Congress, approved March 10, 1950).

§ 300.2 *Definitions.* All terms used in this part have the meaning as defined in the International Claims Settlement Act of 1949.

§ 300.3 *Necessary party.* The Solicitor of the Commission shall be a necessary party in all hearings.

§ 300.4 *Appearance.* (a) An individual may appear in a claim proceeding in his own behalf; a member of a partnership may represent the partnership; a bona fide officer of a corporation, trust, or association may represent the corporation, trust or association; any officer or employee of the United States Department of Justice, when designated by the Attorney General of the United States, may represent the United States in a claim proceeding.

(b) A person may be represented in a claim proceeding by an attorney at law admitted to practice before the Supreme Court of the United States or the highest court of any State or Territory of the United States, the United States Court of Appeals for the District of Columbia, or the United States District Court for the District of Columbia, provided said attorney files with the Commission an affidavit to the effect that he is so admitted, that he has been retained to repre-

sent the claimant, and that he has read, understands and will abide by the provisions of section 4 (f) of the act. In addition the attorney shall file with the Commission a written authorization from the claimant to represent him in the proceeding.

§ 300.5 *Attorneys' fees.* In any case in which an award is made, the Commission may, upon the written request of the claimant or any attorney heretofore or hereafter employed by such claimant, made within fifteen (15) days after mailing the notice of decision under § 300.16 (d) or § 300.26, determine and apportion the just and reasonable attorney's fees for services rendered with respect to such claim, but the total amount of the fees so determined in any case shall not exceed ten per centum of the total amount paid pursuant to the award. In all cases, except where there is a written agreement under section 4 (f) of the act, the attorney shall file with the Commission an itemized statement of the services rendered in connection with the claim.

§ 300.6 *Suspension of attorneys.* The Commission may censure, suspend, or revoke the right of any attorney to appear before the Commission in any claim proceeding if it finds that such attorney has concealed any material facts with reference to his legal qualifications, professional standing, character or integrity, has failed to conform to recognized standards of professional conduct, or has violated the provisions of section 4 (f) of the act.

§ 300.7 *Former employees.* No member, officer, or employee of the Commission shall, within two (2) years after his service with the Commission has been terminated, appear as attorney in any claim proceeding pending before the Commission, or at any time, with respect to any claim which he has handled or passed upon while in the service of the Commission.

§ 300.8 *Form and content of claims.* Claims filed with the Commission shall be in writing, signed and verified by the claimant, and shall contain a concise statement of the facts upon which the claim is based.

§ 300.9 *Exhibits and documents in support of claims.* Exhibits and documents in support of claims, if available, shall be filed in support thereof at the time of filing claims and may be incorporated by reference, and shall, wherever possible, be in the form of original documents or duly authenticated certified copies of originals, as provided in § 300.20 (f) and (g).

§ 300.10 *Computation of time.* In computing any period of time prescribed or allowed by the Commission's rules as set forth in this part or by order of the Commission, the day of the act, event, or default, after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Sunday or a legal holiday or a Saturday on which the Commission's offices are not open, in which event the period runs until the end of the next day which is not a Sunday, holiday or Saturday on which the Commission's offices are not open. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays, and holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a holiday.

§ 300.11 *Dockets.* The Commission will acknowledge the receipt of a claim in writing and will notify claimant of the docket number assigned to the claim. All future correspondence and papers shall bear the docket number of the claim.

§ 300.12 *Filing of papers.* (a) All claims, briefs and memoranda filed shall be on legal size paper, and shall be typewritten or printed.

(b) An original claim and all exhibits and two (2) copies of each claim and of all exhibits shall be filed with the Clerk of the Commission. The Commission may require the filing of additional copies of each claim and of all exhibits.

§ 300.13 *Documents in a foreign language.* Every document, exhibit or paper written in a language other than English, which is filed in any claims proceeding, shall be accompanied by an English translation thereof duly verified under oath to be a true and accurate translation. Each copy of every such document, exhibit or paper filed shall be accompanied by a separate copy of the translation.

§ 300.14 *Withdrawal of paper.* The granting of a request to dismiss or withdraw a paper, document or pleading shall not authorize the removal of the paper, document or pleading from the records of the Commission. No paper, document or pleading officially filed shall be returned unless the Commission shall, for good cause, allow such return.

§ 300.15 *Certified copies of claims and of awards.* The Commission shall certify to the Secretary of State, upon his request, copies of the formal submissions of claims filed with the Commission as defined in §§ 300.8, 301.1 and 302.1 of this chapter and of the corresponding awards by the Commission with respect thereto, for transmission to the foreign government concerned.

§ 300.16 *Informal procedure for approval or denial of claims.* The Solicitor may initiate a proceeding for approval of a claim in part or in whole which he deems entitled to approval, by submitting a written recommendation to the Commission, stating the reasons and grounds for such approval.

(b) In proceedings wherein the Solicitor is of the opinion the claim should be denied, he shall make a written recommendation to the Commission, stating the reasons and grounds for the denial.

(c) The Commission shall consider the claim and may allow it in part or in whole or deny it, or set the claim for hearing, stating the reason and grounds for its decision.

(d) The proposed decision of the Commission shall be furnished the claimant by mailing a certified copy thereof to claimant or the attorney of record, and to the Secretary of State for transmission to the Government of Yugoslavia.

§ 300.17 *Right to a hearing.* (a) Any claimant whose claim is denied, or is approved for less than the full amount of such claim, under the procedure provided in § 300.16, is entitled to a hearing before the Commission. Such hearing will be authorized upon the filing by the claimant of a request therefor within thirty (30) days after the date of mailing a copy of the decision.

(b) Upon failure to file such a request for a hearing before the Commission within said thirty (30) days, the claimant will be deemed to have waived his right to a hearing, and the decision of the Commission shall constitute a full and final disposition of the case.

(c) Upon proper cause shown, the Commission, may, in its discretion, extend the time within which a request for hearing may be filed.

§ 300.18 *Hearings on order of Commission.* (a) The Commission may, in its discretion, require a hearng in any proceeding and shall give at least thirty (30) days' notice of the time and place of such hearing.

(b) In any case where a hearing is ordered by the Commission, notice thereof shall be given to the parties to the proceeding and, with respect to claims under the Yugoslav Claims Agreement of 1948, to the Government of Yugoslavia.

§ 300.19 *Pre-hearing conferences.* (a) at the request of the claimant or of the Solicitor of the Commission, or by order of the Commission on its own motion, at any time prior to hearing, a Commissioner, or a duly authorized representative of the Commission, designated by the Chairman, may arrange for a conference at a designated time and place to consider, among other things, simplification of the issues and any other matter which would tend to expedite the disposition of the proceedings.

(b) The action taken at the conference may be recorded in summary form or otherwise, for use at the hearing. Such record shall be agreed to by the parties, approved by the duly authorized representative of the Commission if such there be, or by a Commissioner. Stipulations and admissions of fact and amendments shall be made a part of the record of the claim proceeding.

§ 300.20 *Conduct of hearings.* (a) Hearings shall be held as ordered by the Commission and shall be open to the public, unless otherwise ordered by the Commission.

(b) Any member of the Commission, or any employee of the Commission, designated in writing by the Chairman of the Commission, may administer oaths and examine witnesses. Any member of the Commission may require by subpena the attendance and testimony of witnesses, and the production of all necessary books, papers, documents, records, correspondence, and other evidence, from any place in the United States at any designated place of inquiry or of hearing.

(c) The claimant shall be the moving party and shall have the burden of

proof on all the issues involved in the claim proceeding.

(d) Any party, that is, the claimant or the Solicitor of the Commission, shall have the right and power to call, examine and cross-examine witnesses and to introduce for the record documentary or other evidence.

(e) The rules of evidence prevailing in courts of law and equity shall not be controlling. Any testimony or other proof having probative value shall be received in evidence. However, it shall be the policy to exclude irrelevant, incompetent, immaterial or unduly repetitious evidence.

(f) A copy of any foreign document of record or on file in a public office of a foreign country or political subdivision thereof, certified by the lawful custodian thereof, shall be admissible in evidence or made part of the record when authenticated by a certificate of an authorized official of the United States resident in such foreign country, under the seal of his office, that the copy has been certified by the lawful custodian.

(g) Any record, document, or other writing, or any portion thereof, from the files of any foreign industrial, business, or commercial enterprise, located in a foreign country, certified by the lawful custodian thereof, shall, if otherwise relevant, be admissible in evidence or made part of the record in a claim proceeding, as competent evidence of the matters therein contained, when authenticated by a certificate of an authorized official of the United States resident in such foreign country, under the seal of his office, that such record, document or writing has been certified by the lawful custodian. A copy of such record, document, or writing shall be equally admissible as the original when certified and authenticated as aforesaid. All circumstances in the making of such record, document, or writing, as well as the lack of opportunity for cross-examination, shall be considered by the Commission, but shall not affect its admissibility in evidence.

Nothing contained in paragraphs (f) and (g) of this section, however, shall prevent the Commission upon good cause shown by timely motion from admitting in evidence a copy of such foreign document, record, or other writing, or portion thereof, not certified and authenticated as herein provided, if, in the discretion of the Commission, such copy has probative value.

(h) In the discretion of the Commission, the hearing or prehearing may be adjourned from day to day or postponed to a later date, or to a different place by announcement thereof at the hearing by the Commission or by reasonable notice to the interested parties.

(i) Hearings shall be stenographically reported by a reporter designated by the Commission and a transcript of such hearings shall be a part of the record. Corrections in the official transcript may be made with the consent of the Commission to make it conform to the evidence presented at the hearing. Claimants desiring copies of the transcript of their own hearing may obtain such copies from the official reporter upon payment of the fees fixed therefor.

(j) Witnesses shall be examined orally under oath, except that for good cause shown, testimony may be taken by deposition.

(k) Witnesses summoned before the Commission shall be paid the same fees and mileage which are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear.

§ 300.21 *Depositions.* (a) The testimony of any person, including a claimant, may be taken by deposition upon oral examination or written interrogatories. A deponent may be examined regarding any matter, not privileged, which is relevant to the claim. In taking testimony opportunity shall be given for cross-examination.

(b) Any party desiring to take a deposition upon oral examination shall make application therefor in writing setting forth the reasons why such deposition should be taken, the name and residence of the witness, the matters concerning which it is expected the witness will testify, and the time and place proposed for the taking of the deposition. Thereupon, the Chairman, or the individual Commissioners, as the case may be, may, in their discretion, issue an order which will name the witness whose deposition is to be taken, and specify the time when and the place where, and the officer before whom the witness is to testify. Such order shall require a deposit of an amount adequate to cover the fees and mileage involved. The officer issuing such order shall cause it to be served upon all parties, at a reasonable time in advance of the date fixed for taking testimony.

(c) The testimony shall be reduced to writing by the officer before whom the witness is to testify, or under his direction, after which the deposition shall be subscribed by the witness and certified by the officer. Any part of a deposition not received in evidence shall not constitute a part of the record in such proceeding unless the parties so agree, or the Commission so orders.

(d) Depositions may also be taken and submitted on written interrogatories in substantially the same manner as depositions taken by oral examination. When a deposition is taken upon written interrogatories and cross-interrogatories, none of the parties shall be present or represented, and no person, other than the witness, a stenographic reporter and the officer, shall be present at the examination of the witness, which fact shall be certified by the officer, who shall propound the interrogatories and cross-interrogatories to the witness in their order and reduce the testimony to writing in the witness' own words.

(e) Where the deposition is taken in a foreign country, it may be taken before a secretary of an embassy or legation, consul general, consul, or vice consul, or consular agent of the United States or before such person or officer designated by the Commission or agreed upon by the parties by stipulation in writing filed with and approved by the Chairman or other officer designated by him.

(f) Objection may be made to receiving in evidence or as part of the record any deposition or part thereof for any reason which would require the exclusion of the evidence if the witness were present and testifying at a hearing before the Commission.

(g) Witnesses whose depositions are taken, and the persons taking the same, shall be severally entitled to the same fees as are paid for like services in the courts of the United States. With respect to witnesses subpenaed, depositions taken, and commissions or letters rogatory issued upon the initiative of the Commission, the Commission shall pay such fees, charges or expenses incidental thereto, as may be found necessary.

(h) Nothing contained in this section shall preclude the issuance of a subpena or the taking of depositions upon the initiative of the Commission in pursuance of any independent investigation or inquiry as to any matter pertaining to, or aspects of, a claim or an application for determination and apportionment of attorneys' fees, that it may determine to make pursuant to sections 4 (b) and (f) of the act.

§ 300.22 *Issuance of subpenas.* (a) Any member of the Commission shall, upon application by any party, and upon a showing of general relevance and reasonable scope of the evidence sought, issue subpenas requiring the attendance and testimony of witnesses and the production of evidence under oath, including the production of all necessary books, papers, documents, records, correspondence and other evidence, from any place in the United States at any designated place of inquiry or of hearing.

(b) The members of the Commission, before issuing any subpena, may require a deposit of an amount adequate to cover the fees and mileage involved.

§ 300.23 *Motions.* (a) All motions and requests for rulings addressed to the Commission shall be in writing and shall state the purpose thereof and the relief sought, together with the reasons in support thereof.

(b) All motions and requests for rulings made during a hearing in a claims proceeding may be stated orally and shall be made a part of the stenographic report of the hearing.

(c) Motions and requests which relate to the introduction or striking of evidence, or which relate to procedure during the course of the hearings, or to any other matters within the authority of the Commission, may be stated orally and shall be ruled on by the Commission. No exception need be taken to any ruling in order to entitle a party to urge an objection thereafter in the claim proceeding.

§ 300.24 *Oral argument and closing of hearing.* Any party shall be entitled, upon request at the close of the hearing, to such time as may be fixed by the Commission for oral argument before the Commission, which oral argument may, with the consent of the Commission, be included in the stenographic report of the hearing.

§ 300.25 *Proposed findings and conclusions.* At the close of the reception

of evidence before the Commission or within a reasonable time thereafter, to be fixed by the Commission, any party may submit to the Commission proposed findings and conclusions, together with a brief in support thereof. Such proposals shall be in writing and shall contain appropriate references to the record. Copies thereof shall be furnished to all parties. Reply briefs may be filed with the permission of the Commission within a reasonable time, to be fixed by it. As far as practicable, procedure shall be followed of having claimant's brief filed first, followed by the brief of the Office of the Solicitor of the Commission or by the Government of Yugoslavia as amicus curiae, with any reply briefs filed in the same order.

§ 300.26 *Commission's decision.* The Commission, as soon as practicable after receipt of the complete transcript and all exhibits, shall make a decision which shall become a part of the record and shall include a statement of the reasons and grounds therefor. Each decision by the Commission shall constitute a full and final disposition of the case.

§ 300.27 *Rehearing.* Any party desiring a rehearing or reargument may file a petition with the Commission within ten (10) days after notice of the decision of the Commission, stating separately (a) a brief, concise statement of the points of the petition, and (b) the reasons or arguments in support thereof, together with specific reference to the record. The Commission may, in its discretion, grant or deny such petition.

§ 300.28 *Service*—(a) *By the Commission.* Orders, notices, rulings, decisions, and any other action taken by the Commission requiring service shall be served by the Commission by mailing a copy thereof to the parties, addressed to the person or persons designated in the filed claim.

(b) *By the parties.* Motions, briefs, proposed findings and conclusions, notices and all other papers filed in a claim proceeding, when filed with the Commission or Solicitor of the Commission shall show service thereof upon the parties to the claim proceeding. Such service shall be made by delivering in person or by mailing copies thereof.

(c) *Service upon attorneys.* When any party has appeared by attorney, service upon the attorney shall be deemed service upon the party.

(d) *Date of service.* The date of service shall be the day when the matter is deposited in the United States mail or delivered in person, as the case may be.

PART 301—SPECIAL RULES FOR CLAIMS UNDER THE YUGOSLAV CLAIMS AGREEMENT OF 1948

Sec.

AUTHORITY: §§ 301.1 to 301.5 issued under sec. 3, 64 Stat. 13; 22 U. S. C. Sup. 1622. Interpret or apply secs. 4, 5, 7, 64 Stat. 13, 16; 22 U. S. C. 1623, 1624, 1626.

§ 301.1 *Form and content of claims under the Yugoslav Claims Agreement of 1948.* Claims filed with the Commission under the Yugoslav Claims Agreement of 1948 shall be in writing, signed and verified by the claimant, and shall contain a concise statement of the facts upon which the claim is based, including the following:

(a) Name and address of the claimant.

(b) (Individual) Date and place of birth.

(c) (Corporation) State or country under whose laws the corporation was organized.

(d) The manner (birth, marriage, naturalization, etc.) by which and the date when claimant, if an individual, became a national of the United States and whether such nationality was ever lost.

(e) Whether claimant was the owner of the property or of any rights and interests in and with respect to the property, on the date of nationalization or other taking.

(f) Statement as to the manner by which claimant acquired the property or rights and interests in and with respect to the property taken, including the consideration paid therefor or the valuation thereof, at the time of acquisition.

(g) Description, identification, nature and extent of ownership.

(h) Statement as to the manner by which the property or rights and interests in and with respect to property was nationalized or otherwise taken.

(i) The date of nationalization or other taking.

(j) Valuation at the time of nationalization or other taking.

(k) Whether claimant has previously filed a claim with respect to the same subject matter or related claim with the Yugoslav Government or any other foreign government, and if so, the status or disposition of such claim.

(l) Whether the claimant has sought, received, or has any reason to expect to receive, any benefits, pecuniary or otherwise, on account of the loss resulting from the nationalization or other taking referred to in the claim, setting forth the details.

(m) The amount of the claim.

§ 301.2 *Obtaining of evidence in Yugoslavia.* In any case where a claimant desires that the Commission obtain, through the Government of Yugoslavia, evidence, including certified copies of books, records, or other documents, as may be necessary or appropriate to support, in whole or in part, any claim he shall include in the statement of claim a request therefor and in a separate portion thereof, the following: (a) A detailed description of the evidence or books, records or other documents requested; (b) a justification of the relevancy or materiality of the information or documents requested; (c) an explanation of why the same is not in the claimant's possession or cannot otherwise be obtained by him; (d) a statement of where the same are located; or a statement identifying and locating witnesses to be questioned and describing their probable testimony.

Upon good cause shown, the Commission may grant a request made subsequent to the filing of the claim, for obtaining such evidence.

§ 301.3 *Time within which claims may be filed under the Yugoslav Claims Agreement of 1948.* Claims based upon the Yugoslav Claims Agreement of 1948 shall be filed with the Commission on or before June 30, 1951. The Commission may, in its discretion and for good cause shown, grant an extension of time for filing a claim in any particular case.

§ 301.4 *Transcripts available to the Government of Yugoslavia.* Certified copies of transcripts of any hearings before the Commission and certified copies of documents submitted to the Commission in support or in refutation in whole or in part of any claim submitted thereto, will be made available by the Commission, at the request of the Secretary of State, to the Government of Yugoslavia.

§ 301.5 *Filing of brief by Government of Yugoslavia, as amicus curiae.* The Government of Yugoslavia may file a request for leave to file a brief as amicus curiae in any claim proceeding, stating the reason therefor. The Commission may, by order, consent to such filing within a time to be fixed by the order. The request to file a brief in a proceeding under § 300.16 of this chapter must be filed with the Commission within five (5) days following the notice of the proposed decision, as set forth in § 300.16 (d) of this chapter, and, in the case of a hearing, at any time during the hearing or within ten (10) days after the hearing is closed. If leave be granted to file such brief, in the case of a hearing, then such brief shall be served upon the parties in acordance with § 300.28 (b) of this chapter.

PART 302—SPECIAL RULES FOR CLAIMS UNDER ARTICLE I (c) AND ARTICLE II (c) OF THE CLAIMS CONVENTION BETWEEN THE UNITED STATES AND THE REPUBLIC OF PANAMA, WHICH WENT INTO EFFECT ON OCTOBER 11, 1950

Sec.

AUTHORITY: §§ 302.1 to 302.3 issued under sec. 3, 64 Stat. 13; 22 U. S. C. Sup. 1622. Interpret or apply secs. 4, 5, 7, 64 Stat. 13, 16; 22 U. S. C. 1623, 1624, 1626.

§ 302.1 *Form and content of claims under Article I (c) and Article II (c) of the Claims Convention between the United States and the Republic of*

Panama, which entered into force October 11, 1950. Claims filed with the Commission under Article I (c) and Article II (c) of the Claims Convention between the United States of America and the Republic of Panama, which entered into force on October 11, 1950, arising as a consequence of the judgment rendered by the Supreme Court of Justice of the Republic of Panama on October 20, 1931, through which there were declared as the property of the nation certain lands called El Encanto, shall be in writing, signed by the claimant, and shall contain a concise statement of the facts upon which the claim is based, including the following:

(a) *Individual.* (1) Name and address of the claimant. If the individual in whose favor the claim arose died subsequent to October 20, 1931, then the claim shall be filed by the legal representative of such individual, i. e., the executor or administrator of his estate.

(2) The manner (birth, marriage, naturalization, etc.) by which, and the date when, claimant became a national of the United States and whether such nationality was ever lost. If the claim is filed by a legal representative, then the same information required by this subsection shall be furnished with respect to the individual in whose favor the claim arose.

(3) The name and address of the grantor and grantee.

(4) The dates of the execution and delivery of the deed to the land involved in the claim; whether the deed was recorded and, if so, an identification of the record and the true consideration paid for the land.

(5) The date and terms of any agreement to purchase the land involved in the claim, the names of the seller and the buyer, the agreed consideration to be paid, the amount paid under the agreement, and an explanation of why no deed was obtained, if such be the case.

(6) A description of the land as contained in the agreement to purchase or in the deed of conveyance, by bounds, if possible, and the area thereof, stated either in acres or hectares.

(7) A list of all encumbrances, if any, as of October 20, 1931.

(8) Detailed account of any sales of land in the El Encanto tract subsequent to January 1, 1913 by the claimant or the person whose estate the claimant represents.

(9) If a claim had previously been presented to the Department of State or any other agency of the United States Government, with respect to the land which is the subject of the claim herein, the place where the claim had been filed, the date and amount of the claim and its status and disposition.

(10) Detailed account of any transactions by the claimant or by the person whose estate the claimant represents whereby the claimant or such person acquired, subsequent to October 20, 1931, by assignment or otherwise, any rights or interests in the El Encanto claims.

(11) Whether the claimant or the person whose estate the claimant represents, has sought, received, or has any reason to expect to receive any benefits, pecuniary or otherwise, on account of the loss which is the basis of the claim, setting forth the details.

(12) Value of the land on October 20, 1931.

(13) If the claim includes property losses, other than the value of the land taken, a detailed account of such losses.

(14) A statement to the effect that the land was acquired in good faith.

(15) The amount of the claim and the manner of computing such amount.

(b) *Corporations.* (1) The state, territory or possession of the United States in which the corporation was organized, the date of incorporations, and a certificate of corporate existence.

(2) The names and addresses of the officers, directors, and stockholders, and the number of shares held by each of the stockholders on October 20, 1931.

(3) Whether the corporation has been dissolved or its charter has become void; if the corporate existence of the claimant has been revived or its charter has been revived or extended, a brief statement of the legal steps taken to bring about such result.

(4) The name and address of the grantor and grantee.

(5) The dates of the execution and delivery of the deed to the land involved in the claim; whether the deed was recorded and, if so, an identification of the record and the true consideration paid for the land.

(6) The date and terms of any agreement to purchase the land involved in the claim, the names of the seller and the buyer, the agreed consideration to be paid, the amount paid under the agreement, and an explanation of why no deed was obtained, if such be the case.

(7) A description of the land as contained in the agreement to purchase or in the deed of conveyance, by bounds, if possible, and the area thereof, stated either in acres or hectares.

(8) A list of all encumbrances, if any, as of October 20, 1931.

(9) Detailed account of any sales of land in the El Encanto tract subsequent to January 1, 1913 by the claimant.

(10) If a claim had previously been presented to the Department of State or any other agency of the United States Government, with respect to the land which is the subject of the claim herein, the place where the claim had been filed, the date and amount of the claim and its status and disposition.

(11) Detailed account of any transactions by the claimant whereby the claimant acquired, subsequent to October 20, 1931, by assignment or otherwise, any rights or interests in the El Encanto claims.

(12) Whether the claimant has sought, received, or has any reason to expect to receive any benefits, pecuniary or otherwise, on account of the loss which is the basis of the claim, setting forth the details.

(13) Value of the land on October 20, 1931.

(14) If the claim includes property losses, other than the value of the land taken, a detailed account of such losses.

(15) A statement to the effect that the land was acquired in good faith.

(16) The amount of the claim and the manner of computing such amount.

§ 302.2 *Obtaining of evidence in Panama.* Where a claimant desires that the Commission obtain through the Government of the Republic of Panama any documents in its possession which may have a bearing upon the merits of the claim, the claimant shall include in the statement of claim a request therefor, which shall set forth the following information: (a) A detailed description of the document requested; (b) a justification of the relevancy and materiality of the documents requested; (c) an explanation why a copy of the requested document is not in the claimant's possession or cannot otherwise be obtained by him; and (d), a statement of the document's exact location.

Upon good cause shown, the Commission may grant a request made subsequent to the filing of a claim for obtaining such documents.

§ 302.3 *Time within which claims may be filed under Article I (c) and Article II (c) of the Claims Convention between the United States and the Republic of Panama which entered into force on October 11, 1950.* Claims based upon Article I (c) and Article II (c) of the Claims Convention between the United States and the Republic of Panama, which entered into force on October 11, 1950, shall be filed with the Commission on or before February 29, 1952. The Commission may, in its discretion and for good cause shown, grant an extension of time for filing a claim in any particular case.

Dated at Washington, D. C., September 19, 1951.

JOSIAH MARVEL, Jr.,
Chairman.
RAYMOND S. MCKEOUGH,
Commissioner.
ROY G. BAKER,
Commissioner.

[F. R. Doc. 51-11443; Filed, Sept. 21, 1951; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 939]

HANDLING OF BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

NOTICE OF PROPOSED REVISION OF RULES AND REGULATIONS

Notice is hereby given that the Department is considering a proposed revision, as hereinafter set forth, of the rules and regulations (7 CFR 939.100 et seq.; Subpart—Rules and Regulations) currently in effect pursuant to the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears

grown in the States of Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

All persons who desire to submit written data, views, or arguments for consideration in connection with such proposed revision of the rules and regulations should do so by forwarding the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than the fifteenth day after the publication of this notice in the FEDERAL REGISTER.

The proposed revision of the rules and regulations has been recommended by the Control Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, primarily for the purpose of prescribing the manner in which pears may be shipped to designated storage warehouses pursuant to the provisions of § 939.65 (c) of the amended marketing agreement and order.

The proposed revision is as follows:

SUBPART—CONTROL COMMITTEE RULES AND REGULATIONS [REVISED]

DEFINITIONS

Sec.
939.100 Terms.
939.101 Marketing agreement.
939.102 Order.

COMMUNICATIONS

939.105 Communications.

EXEMPTION CERTIFICATES

939.110 Application for exemption certificate.
939.111 Exemption committee.
939.112 Issuance of exemption certificate.
939.113 Appeal to Control Committee.
939.114 Appeal to Secretary.

EXEMPTIONS AND SAFEGUARDS

939.120 Pears for charitable or by-products purposes.
939.121 Pears for gift purposes.
939.122 Shipments to designated storages.

REPORTS

939.125 Reports.

AUTHORITY: §§ 939.100 to 939.125, inclusive, issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

SUBPART—CONTROL COMMITTEE RULES AND REGULATIONS [REVISED]

DEFINITIONS

§ 939.100 *Terms.* Each term used in this subpart shall have the same meaning as when used in the marketing agreement and order.

§ 939.101 *Marketing agreement.* "Marketing agreement" means Marketing Agreement No. 89, as amended, regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in the States of Oregon, Washigton, and California.

§ 939.102 *Order.* "Order" means Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in the States of Oregon, Washington, and California.

COMMUNICATIONS

§ 939.105 *Communications.* Unless otherwise prescribed in this subpart, or in the marketing agreement and order, or required by the Control Committe, all reports, applications, submittals, requests, inspection certificates, and communications in connection with the marketing agreement and order shall be forwarded to:

Winter Pear Control Committee,
502 Woodlark Building,
Portland 5, Oregon.

EXEMPTION CERTIFICATES

§ 939.110 *Application for exemption certificate.* Each application (pursuant to § 939.54 *Exemption certificates*) for an exemption certificate authorizing the shipment during a particular marketing season of any variety of pears shall be filed with the secretary of the Control Committee not later than November 15 of such marketing season. Each such application duly mailed to and duly received by the secretary of the Control Committee shall be deemed to have been filed with the secretary as of the date of such mailing. Each application shall contain the following information on Form E–1 "Grower Application for Exemption Certificate":

(a) The name and address of the applicant;

(b) The location of the orchard (by district and distance from the nearest town) from which the fruit is to be shipped pursuant to the exemption certificate;

(c) The number and age of the trees producing the particular variety for which exemption is requested;

(d) The quantity of such variety which could be shipped by the applicant in the absence of the grade, size, or quality regulations in effect at the time the application is filed;

(e) The quantity of such variety which meets the requirements of the aforesaid effective grade, size, or quality regulations;

(f) The total crop of the particular variety of pears and the quantity shipped during the preceding marketing season;

(g) The names of the shippers who shipped all or any portion of the applicant's aforesaid crop during the preceding marketing season;

(h) The reasons why the quantity of the particular variety of pears, for which exemption is requested, does not meet the aforesaid effective grade, size, or quality regulations; and

(i) The name of the shipper or shippers who will ship the exempted pears if the exemption certificate is issued.

§ 939.111 *Exemption committee.* The members and alternate members of the Control Committee residing in the district in which the applicant grower's orchard is located shall act as an exemption committee for that district and shall make or cause to be made such investigation as may be necessary to determine whether and to what extent such applicant will be prevented, because of the aforesaid grade, size, or quality regulations in effect, from shipping as large a percentage of the particular variety of his pears as the percentage of all pears of that particular variety permitted to be shipped from his district as determined by the Control Committee. In the event any member or alternate member of the Control Committee shall himself apply for an exemption certificate he shall be disqualified to serve as a member of the exemption committee to act upon the application.

§ 939.112 *Issuance of exemption certificate.* In the event such exemption committee finds and determines from proof satisfactory to the committee that the applicant is entitled to an exemption certificate, such exemption certificate shall be issued so as to permit the applicant to ship or have shipped the requisite quantity of his pears. Each exemption certificate shall be signed by the secretary or assistant secretary of the Control Committee and one copy thereof shall be delivered to the grower, one copy shall be delivered to each shipper designated by the grower to receive a copy, and one copy shall be retained in the files of the Control Committee. In the event the secretary of the Control Committee has reason to believe that any such finding or determination by an exemption committee is improper or not in accordance with the facts, he may disapprove the same, and shall make or cause to be made such further investigation as he may determine to be necessary or advisable, and may request or obtain such information as he may deem necessary to enable him to determine whether or not and to what extent an applicant is entitled to an exemption certificate.

§ 939.113 *Appeal to Control Committee.* Any grower, whose application is denied in whole or in part by the appropriate exemption committee or by the secretary of the Control Committee, may file a written appeal with the Control Committee within fifteen (15) days after the date of the notice to such grower of the decision involved. Upon receipt of such appeal, the secretary of the Control Committee shall submit the same, together with all applicable information and data, including the report of the exemption committee on that grower's application to the members of the Control Committee, who thereafter shall review the same and shall determine whether and to what extent the applicant is entitled to an exemption certificate. Thereupon the secretary of the Control Committee shall issue to that grower such exemption certificate as the Control Committee shall determine to be proper.

§ 939.114 *Appeal to Secretary.* Any grower who is dissatisfied with the Control Committee's determination with respect to any appeal by that grower from a decision by an exemption committee or by the secretary of the Control Committee with respect to that grower's application for an exemption certificate, may appeal from such determination by the Control Committee to the Secretary of Agriculture. Any such appeal shall be made by filing with the secretary of the Control Committee a written notice

of appeal within fifteen (15) days after notice to that grower of the Control Committee's action on that grower's application for an exemption certificate. Promptly upon receipt of notice of an appeal signed by the applicant, the Secretary of the Control Committee shall forward to the Secretary of Agriculture, or to his designated representative, a true and correct copy of all information pertaining to that grower's application for an exemption certificate and the action taken thereon by the Control Committee, together with such written information and proof as was submitted to or obtained by the Control Committee with regard to said application, and a true copy of the appellant grower's notice of appeal.

EXEMPTIONS AND SAFEGUARDS

§ 939.120 *Pears for charitable or by-product purposes.* Pears which do not meet the requirements of the then effective grade, size, or quality regulations shall not be shipped or handled for consumption by any charitable institution or for distribution by any relief agency or for conversion into any by-product, unless there first shall have been delivered to the manager of the Control Committee a certificate executed by the intended receiver and user of said pears showing, to the manager's satisfaction, that said pears actually will be used for one or more of the aforesaid purposes.

§ 939.121 *Pears for gift purposes.* There are exempted from the provisions of the marketing agreement and order any and all pears which, in individual gift packages, are shipped directly to, or which are shipped for distribution without resale to, an individual person as the consumer thereof, and any and all pears which, in individual gift packages are shipped directly to, or are shipped for distribution without resale to, a purchaser who will use these pears solely for gift purposes and not for sale.

§ 939.122 *Shipments to designated storages.* (a) Pears may be shipped without prior inspection and certification to any public storage warehouse in Yakima, Zillah, or Grandview, in the State of Washington, Klamath Falls, Oregon, or Tulelake, California, for storage therein in transit: *Provided,* That any pears so shipped shall be inspected, and a certificate issued with respect thereto, as provided in § 939.60 of the marketing agreement and order, prior to such pears being removed from such warehouse and the handler thereof shall submit to the Control Committee, at the times specified in this section, the following information with respect to each such shipment:

(1) At the time of shipment to the warehouse there shall be reported name and address of handler; date; destination, including the name of the warehouse; quantity of each variety of pears; and date of shipment; and

(2) At the time any pears so shipped are removed from the warehouse there shall be reported name and address of handler; date; inspection certificate number; quantity of each variety of pears; date such pears were shipped to the warehouse; and date of the previous report regarding such pears pursuant to sub-paragraph (1) of this paragraph; such reports shall be in addition to, and not in lieu of, the reports required under paragraphs (b) and (c) of § 939.125.

(b) Any pears shipped to one of the aforesaid storage warehouses pursuant to this section which, upon inspection, do not meet the requirements of the then effective grade, size, or quality regulations may be (1) repacked at such warehouse so as to meet such requirements, (2) sold and delivered within the state where such warehouse is located for processing or conversion into by-products, or (3) returned to the state where the pears were produced for repacking or for sale within such state: *Provided,* That there first shall have been submitted to the manager of the Control Committee proof, satisfactory to the manager, that the pears will not be handled contrary to the provisions of the marketing agreement and order; such proof shall include, in the case of sale and delivery for by-products purposes, a written certificate, executed by both the handler and the intended receiver, stating that the pears will be processed or converted into by-products within the state where such warehouse is located.

REPORTS

§ 939.125 *Reports.* (a) Each shipper handling pears covered by an exemption certificate shall keep an accurate record, in the manner provided on such certificate, of all shipments of such pears. Such shipper, after having shipped as many pears as authorized by the particular exemption certificate, shall promptly mail to the secretary of the Control Committee, such handler's copy of the exemption certificate containing an accurate record of such shipments.

(b) Each handler shall furnish to the Control Committee as of the 1st day and the 15th day, respectively, of each calendar month a report containing the following information on Form 1 "Handler's Statement of Pear Shipments":

(1) The number of standard western pear boxes (two half boxes shall be counted as one box) of each variety of pears shipped by that handler during the preceding half month;

(2) The date of each shipment;

(3) The car numbers or truck license numbers, as the case may be, of all cars or trucks in which such shipments were made;

(4) The ultimate destination, by city and State; and

(5) The name and address of such handler.

(c) Each handler shall furnish to the Control Committee, as of October 15 of each season and as of the fifteenth and last days of each month thereafter, a report containing the following information on Form 4R, "Handlers' Packout Report":

(1) The total of the packout of each variety;

(2) The quantity of each variety loose in storage;

(3) The volume of each variety sold, unsold, stored east and west, and in transit; and

(4) The name and address of such handler.

(d) Each handler who has pears inspected and certificated in lots larger than carload lots and who wishes to rely on such lot inspections in lieu of inspection certificates for individual carlot shipments shall deliver to the manager within 10 days after shipment of any such pears a written report showing the quantity, variety, grade, and size of the pears so shipped and the date of shipment thereof, and said report shall identify such pears with the lot-inspection certificates covering the same, and shall further show what portion of that lot remains unshipped, and where located; such report shall be in addition to, and not in lieu of, the semimonthly handler's reports of shipments required under paragraphs (b) and (c) of this section.

(e) Each handler shall specify on each bill of lading covering each shipment the variety, and number of boxes thereof, of all pears included in that shipment.

Issued at Washington, D. C., this 19th day of September 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-11419; Filed, Sept. 21, 1951; 8:46 a. m.]

[7 CFR Part 945]

[Docket No. AO 231]

HANDLING OF MILK IN WICHITA FALLS, TEXAS, MARKETING AREA

AMENDMENT OF ORDER OF SECRETARY DIRECTING THAT REFERENDUM BE CONDUCTED AMONG PRODUCERS SUPPLYING MILK

The order of the Secretary of Agriculture, issued August 20, 1951 (16 F. R. 8481; F. R. Doc. 51-10110), directing that a new referendum be conducted among producers supplying milk to the Wichita Falls, Texas, marketing area is hereby amended to provide that the time for the completion of such referendum is hereby extended 19 days and shall be completed not later than October 13, 1951.

Done at Washington, D. C., this 20th day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-11530; Filed, Sept. 21, 1951; 8:48 a. m.]

[7 CFR Part 988]

[Docket No. AO-195-A4]

HANDLING OF MILK IN KNOXVILLE, TENN., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO THE ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and

procedure, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in the County Court House, Knoxville, Tennessee, beginning at 10:00 a. m., e. s. t., September 27, 1951, for the purpose of receiving evidence with respect to emergency and other economic conditions which relate to the handling of milk in the Knoxville marketing area and to the proposed amendments hereinafter set forth, or appropriate modifications thereof, and to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Knoxville, Tennessee marketing area. These amendments have not received the approval of the Secretary of Agriculture.

Amendments to the order (No. 88) for the Knoxville, Tennessee, marketing area have been proposed by the Knoxville Milk Producers Association as follows:

Proposal No. 1: Amend § 988.51 (a) to increase the Class I differential 60 cents per hundredweight from the effective date of this amendment through March 1952.

Proposal No. 2: Delete the supply-demand provisions incorporated in the proviso of § 988.51 (a) and substitute therefor a supply-demand adjustor using as a representative period the two most recent months preceding the current delivery period whereby the Class I differential will be adjusted upon the basis of 2 cents per hundredweight per percentage point that the representative supply-demand relationship varies from the desired relationship of an adequately supplied market.

The following amendment has been proposed by certain Knoxville handlers.

Proposal No. 3: Amend § 988.22 (j) and § 988.50 to provide for the computation and announcement of the Class I price for each delivery period not later than the 6th day of such delivery period by employing as the basic formula price the highest of the prices computed pursuant to paragraphs (a), (b), and (c) of § 988.50 and § 988.51 (b) for the delivery period immediately preceding.

The following amendment has been proposed by the Dairy Branch, Production and Marketing Administration.

Proposal No. 4:

Make such changes as may be required to make the entire marketing agreement and order conform with any provisions that may result from this hearing.

Copies of this notice of hearing and of Order No. 88, now in effect, may be procured from the Market Administrator, 205 Flatiron Building, 705 Broadway, N. E., Knoxville, Tennessee, or from the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., or may be there inspected.

Dated: September 19, 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-11513; Filed, Sept. 24, 1951; 8:47 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR Part 53]

[Docket No. FDC-59]

CANNED TOMATOES; IDENTITY; LABEL STATEMENT OF OPTIONAL INGREDIENTS

NOTICE OF PROPOSED RULE MAKING

In the matter of amending the definition and standard of identity for canned tomatoes:

It is proposed that, by virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055; 21 U. S. C. 341, 371) and upon the basis of substantial evidence received at the public hearing held pursuant to the notice published in the FEDERAL REGISTER on July 4, 1951 (16 F. R. 6543), the following order be made:

Findings of fact.[1] 1. By the definition and standard of identity for canned tomatoes (21 CFR 53.40), the liquid draining from tomatoes during and after peeling and coring and which is used for filling the spaces between the tomato fruits in the container is designated as optional ingredient (a) (1) and the liquid strained from mature tomatoes which is added for this purpose is designated as optional ingredient (a) (3). Paragraph (b) of this definition and standard of identity prescribes that when optional ingredient (a) (3) is present the label shall bear the statement "with added strained tomatoes." It is not required that there be a label declaration of optional ingredient (a) (1). (R. 12, 61-63, 64-66.)

2. Different lots of tomatoes as they are received by canneries vary in the amount of liquid they yield when they are being peeled and cored. In some lots as received the tomatoes yield a sufficient quantity of liquid during and after peeling and coring to meet the requirements for properly packing the canned tomatoes, but in other lots an insufficient quantity of liquid is obtained and additional liquid is prepared from other tomato fruits. Various means are used for preparing the additional liquid. In hand-packing when there is insufficient liquid in a can the packer can produce additional liquid by pushing down on the tomato fruits in the can. In canneries where a filling machine is used for adding liquid to the cans some of the tomato fruits are separately crushed to produce the liquid necessary. In some canneries these tomato fruits are simply broken up by hand; in other canneries they are mechanically crushed. The proportion of prepared liquid used in the different cans varies widely. In some cans all the liquid may be that which is described in the definition and standard of identity as optional ingredient (a) (1). In other cans a part of the liquid will be that which is designated as optional ingredient (a) (3). The requirement that cans which contain some of the liquid designated as optional ingredient (a) (3) bear a label statement showing this fact is troublesome to canners because they must keep the packs requiring the different labels separate in the cannery and the warehouse. (R. 7-10, 17-18, 22-23, 26-28, 32, 39, 42-43, 48-52, 61-64; Ex. 2.)

3. In the course of a day's run in a cannery the pack of canned tomatoes in which the only liquid added is that designated as optional ingredient (a) (1) may be insignificantly different from the pack in which the liquid designated as optional ingredient (a) (3) is used. A declaration on the labels of the presence of optional ingredient (a) (3) conveys no information of value to consumers. (R. 15, 24, 32, 40)

Conclusion. Upon consideration of the entire record and the foregoing findings of fact it is concluded that it will promote honesty and fair dealing in the interest of consumers to amend the definition and standard of identity for canned tomatoes by deleting the requirement that the label bear a statement showing the presence of the optional ingredient described in paragraph (a) (3) of such definition and standard of identity.

Therefore, it is proposed that § 53.40 *Canned tomatoes; identity; label statement of optional ingredients* be amended by deleting the second sentence in paragraph (b) which reads, "When optional ingredient specified in paragraph (a) (3) of this section is present, the label shall bear the statement 'With Added Strained Tomatoes.'" and by changing the fifth sentence in paragraph (b) so that as changed it reads, "If two or more of optional ingredients specified in paragraph (a) (2), (6), and (7) of this section are present, such statements may be combined, as for example, "With Added Strained Residual Tomato Material from Preparation for Canning, Spice and Flavoring.'"

Any interested person whose appearance was filed at the hearing may, within 30 days from the date of publication of this tentative order in the FEDERAL REGISTER, file with the Hearing Clerk, Federal Security Agency, Room 5440, Federal Security Building, Fourth Street and Independence Avenue SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in this tentative order and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which such exceptions are based. Such exceptions may be accompanied by a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs shall be submitted in quintuplicate.

Dated: September 18, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-11445; Filed, Sept. 21, 1951; 8:49 a. m.]

[1] The citations following each finding of fact refer to the pages of the transcript of the testimony and the exhibits received in evidence at the hearing.

NOTICES

DEPARTMENT OF THE TREASURY

Customs Bureau

[T. D. 52823]

WHITE OR IRISH POTATOES, OTHER THAN CERTIFIED SEED

TARIFF-RATE QUOTA

SEPTEMBER 18, 1951.

The tariff-rate quota for white or Irish potatoes, other than certified seed potatoes, pursuant to Item 771 (second), Part 1, Schedule XX, of the General Agreement on Tariffs and Trade (T. D. 51802), for the 12-month period beginning September 15, 1951, is 4,160,000 bushels of 60 pounds each.

The estimate of the production of white or Irish potatoes, including seed potatoes, in the United States for the calendar year 1951 made by the United States Department of Agriculture, as of September 1, 1951, was 346,840,000 bushels.

In accordance wth the third proviso to the aforesaid Item 771, the 1,000,000 bushels prescribed in the second proviso is increased by the amount by which such estimated production is less than 350,000,000 bushels, which amount is 3,160,000 bushels.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 51-11475; Filed, Sept. 21, 1951; 8:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

CLASSIFICATION ORDER

SEPTEMBER 14, 1951.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427, dated August 16, 1950, I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Nevada land district, embracing approximately 120 acres:

NEVADA SMALL TRACT CLASSIFICATION NO. 74

For lease and sale for home and business sites:
T. 22 S., R. 61 E., M. D. M.
Sec. 16, N½NW¼ and SW¼NW¼.

The land is situated in Clark County, Nevada, about 7 miles south of Las Vegas, one of the largest towns in the state. It can be reached over U. S. Highway 91. The land is desert in character. The area is one that is used extensively for health and recreational purposes.

2. As to applications regularly filed prior to 9.30 a. m., April 26, 1949, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., November 16, 1951. At that time such land shall, subject to valid existing rights, become subject to applications as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., November 16, 1951, to close of business on February 14, 1952.

(b) Advance period for veterans' simultaneous filings from 9:30 a. m., April 26, 1949, to 10:00 a. m., November 16, 1951.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., February 15, 1952.

(a) Advance period for simultaneous nonpreference filings from 9:30 a. m., April 26, 1949, to 10:00 a. m., February 15, 1952.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 2½ acres, each being approximately 330 by 330 feet, except that, along the west side of the subdivision, there will be a row of tracts 330 by 660 feet, the longer dimension of which will extend east and west, which latter tracts will be subject to a 200-foot highway right-of-way. This highway extends north and south along the western side of said subdivision.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of three years. Homesite leases will be at an annual rental of $5.00 and business site leases at an annual rental of $20.00, all of the rental to be paid in advance for the entire period of the lease. Leases will contain an option to purchase clause at the appraised value of $120.00 per tract, except that those tracts bordering the State Highway are appraised at $175.00 per tract. Application for purchase may be filed during the term of the lease, but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

10. Tracts will be subject to all existing rights-of-way and rights-of-way for access roads and public utilities, as follows:

16½ feet along the east side of E½NE¼NW¼, W½NE¼NW¼, E½NW¼NW¼, W½NW¼NW¼, E½SW¼NW¼ and W½SW¼NW¼; and along the west side of E½NE¼NW¼, W½NE¼NW¼, E½NW¼NW¼ and E½SW¼NW¼; and along the north side of the SW¼NW¼; and along the south side of the SW¼NW¼ and N½NW¼.

Such rights-of-way may be utilized by the Federal Government, or the state, county, or municipality in which the tract is situated, or by any agency thereof. The rights-of-way, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Manager, Nevada Land and Survey Office, Reno, Nevada.

J. H. FAVORITE,
Acting Regional Administrator.

[F. R. Doc. 51-11408; Filed, Sept. 21, 1951; 8:45 a. m.]

Office of the Secretary

[Order 2662]

BUREAU OF RECLAMATION

DELEGATION OF AUTHORITY TO MAKE FINDINGS AS CONDITION PRECEDENT TO EXECUTION OF RECORDABLE CONTRACTS

SEPTEMBER 15, 1951.

1. A new section (q), reading as follows, is added to section 1 of Order No. 2018:

(q). To make the findings required under the Columbia Basin Project Act (57 Stat. 14), as amended, as a condition precedent to the excution of recordable contracts.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 51-11410; Filed, Sept. 21, 1951; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3718 et al.]

SOUTHWEST AIRWAYS CO., AND UNITED AIR LINES, INC., SOUTHWEST RENEWAL—UNITED SUSPENSION CASE

NOTICE OF ORAL ARGUMENT

In the matter of the renewal of the temporary certificate of public convenience and necessity for route No. 76 held by Southwest Airways Company, its amendment to include Salinas, Calif., and Klamath Falls, Ore., as intermediate points thereon for a period of five years, and the temporary suspension of the certificate of public convenience and necessity held by United Air Lines, Inc., insofar as said certificate authorizes the holder to provide air transportation of persons, property, and mail to Eureka-Arcata, Red Bluff, Santa Barbara, and Monterey, Calif., for a period of five years or less and to Salinas, Calif., and Klamath Falls, Ore., for an indefinite period.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, particularly sections 205 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on October 4, 1951, at 10:00 a. m., e. s. t., in room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., September 19, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-11477; Filed, Sept. 21, 1951; 8:55 a. m.]

[Docket No. 3758 et al.]

ROSCOE CHARTER SERVICE, ET AL.; ADDITIONAL SERVICE TO KANSAS CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Roscoe Charter Service and other applicants for the issuance or amendment of certificates of public convenience and necessity.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on October 10, 1951, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., September 19, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-11476; Filed, Sept. 21, 1951; 8:54 a. m.]

[Docket No. 3842]

NEW ENGLAND AIR EXPRESS, INC., EXEMPTION APPLICATION

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of New England Air Express, Inc., for an exemption filed pursuant to § 291.16 of the Board's Economic Regulations and section 416 (b) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned to be held on September 24, 1951, is postponed indefinitely. The hearing date will be set at a future date.

Dated at Washington, D. C., September 19, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-11479; Filed, Sept. 21, 1951; 8:55 a. m.]

[Docket No. 4827 et al.]

PAN AMERICAN WORLD AIRWAYS, INC., AND SAMOAN AIRLINES; SERVICE TO AMERICAN SAMOA

NOTICE OF HEARING

In the matter of the applications of Pan American World Airways, Inc. and Lawrence M. Coleman, doing business as Samoan Airlines, under section 401 of the Civil Aeronautics Act of 1938, as amended, for a certificate or amendment of a certificate of public convenience and necessity authorizing air transportation of persons, property and mail to American Samoa.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401, 801, and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on October 8, 1951, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Without limiting the scope of the issues presented by said applications, particular attention will be directed to the following matters and questions:

1. Does the public convenience and necessity require the service applied for?
2. Is the applicant a citizen of the United States and is it fit, willing and able to perform the service for which it is applying?
3. If the public convenience and necessity require the proposed service which carrier is best qualified to perform it?

Notice is further given that any person desiring to be heard in this proceeding, must file with the Board on or before October 8, 1951, a statement setting forth the issues of fact or law raised by said applications which he desires to controvert.

For further details of the service proposed and authorizations requested, interested parties are referred to the applications on file with the Civil Aeronautics Board.

Dated at Washington, D. C., September 19, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-11478; Filed, Sept. 21, 1951; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9947]

VIDALIA BROADCASTING CO. (WVOP)

ORDER AMENDING ISSUES

In re application of M. F. Brice and R. E. Ledford d/b as Vidalia Broadcasting Company (WVOP), Vidalia, Georgia, for construction permit; Docket No. 9947, File No. BP-7834.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of September 1951;

The Commission having under consideration a petition filed by the above-entitled applicant which requests an enlargement or clarification of the issues specified in an order of April 11, 1951, which instituted this proceeding.

It appearing, that the petitioner has shown good cause for including issues designed to elicit evidence concerning areas and populations which will gain or lose service as a result of the proposed operation of Station WVOP, concerning the type of program service proposed and concerning contemplated effect of the operation of Station WVOP, as proposed, upon the financial qualifications of the applicant partnership;

It is ordered, That the petition is granted and that the Commission's order of April 11, 1951 in this proceeding is amended to add the following issues:

3. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WVOP as proposed, and the character of other broadcast service available to such areas and populations.

4. To determine the type and character of program service proposed to be rendered as compared to the type and character of program service presently rendered by Station WVOP, and whether the proposed program service would meet the requirements of the populations and areas proposed to be served.

5. To determine the financial qualifications of the applicant partnership and it partners to construct and operate Station WVOP as proposed with particular reference to the extent of financial support from advertisers which may be expected for the proposed operation as compared to the extent of financial support from advertisers for the present operation.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 51-11432; Filed, Sept. 21, 1951; 8:47 a. m.]

[Docket No. 10023]

DESERT RADIO AND TELECASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Jobe L. Hamman, George W. Berger and Melvin Sullivan, d/b as Desert Radio and Telecasting Company, Palm Springs, California, for construction permit; Docket No. 10023, File No. BP-7847.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of September 1951;

The Commission having under consideration the above-entitled application for a construction permit to construct a new standard broadcast station to be operated on the frequency 1230 kilocycles, with 250 watts power, unlimited time, in Palm Springs, California;

It appearing, that the above-entitled application was designated for hearing by order of August 1, 1951, for reasons, among others, of possible objectionable interference with Station KXO, El Centro, California, and of possible inadequate coverage of the city of Palm Springs and its business district; and

It further appearing, that the Commission is in possession of information which indicates that George W. Berger, one of the partners of the above-described applicants, may not be qualified to hold a broadcast station license, by reason of his conduct and actions in connection with the preparation, submission, and prosecution of applications for broadcast station licenses before this Commission; and

It further appearing, that in the light of the aforementioned information, the Commission cannot determine that a grant of the above-described application would serve public interest, convenience or necessity;

It is ordered, That, on the Commission's own motion, the above-mentioned order of August 1, 1951, is vacated; and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-described application is designated for hearing, to be held at 10 a. m., on October 23, 1951, at Washington, D. C., as heretofore ordered by the Commission, on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and its partners to construct and operate the proposed station, with particular reference to the qualifications of George W. Berger to be a broadcast licensee in the light of his conduct in connection with, inter alia, the following:

(a) The preparation, submission and prosecution before this Commission of the application of Station KYOR, Blythe, California, for assignment of license and construction permit (BAPL-37);

(b) The preparation, submission and prosecution before this Commission of the application of Desert Broadcasting Company for a new standard broadcast station at Palm Springs, California (BP-7195; Docket No. 9512).

(c) The preparation, submission and prosecution before this Commission of the application of Oceanside Broadcasting Company for a new standard broadcast station at Oceanside, California (BP-5772; Docket No. 9213);

(d) The activities of a firm known as Radio Consultants Ltd.

(e) Any other activities related to radio broadcasting either in the United States or in foreign countries.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station KXO, El Centro, California, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to the coverage of the city of Palm Springs, California, and its business district.

It is further ordered, That Valradio, Incorporated, licensee of Station KXO, El Centro, California, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-11434; Filed, Sept. 21, 1951; 8:48 a. m.]

[Docket No. 10026]

FRED BIRCH AND FAIRMONT CORP.

ORDER CONTINUING HEARING

In re application of Fred Birch (transferor), the Fairmont Corporation (transferee), for transfer of control of Buttrey Broadcast, Inc., licensee of Station KFBB, Great Falls, Montana; Docket No. 10026, File No. BTC-1068.

The Commission having under consideration a petition filed September 10, 1951, by Fred Birch (transferor), the Fairmont Corporation (transferee), and Buttrey Broadcast, Inc. (KFBB), Great Falls, Montana, requesting an indefinite continuance of the hearing presently scheduled for September 24, 1951, at Great Falls, Montana, pending the filing of and action upon a petition for reconsideration and grant without hearing in the proceeding upon their above-entitled application for transfer of control;

It is ordered, This 14th day of September 1951, that the petition is granted; and that the hearing in the above-entitled proceeding is continued indefinitely.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-11438; Filed, Sept. 21, 1951; 8:49 a. m.]

[Docket No. 10052]

KTRB BROADCASTING CO., INC. (KTRB)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of KTRB Broadcasting Company, Inc. (KTRB), Modesto, California, for construction permit; Docket No. 10052, File No. BP-7947.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of September 1951;

The Commission having under consideration the above-entitled application requesting a construction permit to increase the daytime power of Station KTRB from 5 kilowatts to 10 kilowatts, change from a directional antenna at night to a directional antenna both day and night and to change type of transmitter;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KTRB, as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice; particularly with reference to the selection of a transmitter site as related to the population residing within the proposed 250 mv/m and 500 mv/m blanket contours and to the use of a 10 kilowatt transmitter for the 1 kilowatt nighttime operation;

It is ordered, That, pursuant to section 309(a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m., on October 18, 1951, at Washington D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference due to cross-modulation and excessive blanketing to Stations KMOD and KBOX, Modesto, California, and, if so, the nature and extent thereof.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the selection of a transmitter site as related to the population residing within the proposed 250 mv/m and 500 mv/m blanket contours and to the use of a 10 kilowatt transmitter for the 1 kilowatt nighttime operation;

It is further ordered, That Radio Modesto, Inc., licensee of Station KMOD, Modesto, California and Stanislaus County Broadcasters, Inc., permittee of Station KBOX, Modesto, California are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-11433; Filed, Sept. 21, 1951; 8:48 a. m.]

[Docket Nos. 10053—10055]

WEST MEMPHIS BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of West Memphis Broadcasting Corporation (assignor), KWEM, Incorporated (assignee), for consent to assignment of license of Station KWEM, West Memphis, Arkansas, Docket No. 10053, File No. BAL–1200; Teletronics, Incorporated (WACL), Waycross, Georgia, for transfer of control, Docket No. 10054, File No. BTC–1172; Sun Coast Broadcasting Corporation (WMIE), Miami, Florida, for transfer of control, Docket No. 10055, File No. BTC–1143.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 12th day of September 1951;

The Commission having under consideration: (1) The above-entitled application for assignment of license of Station KWEM from West Memphis Broadcasting Corporation to KWEM, Incorporated; (2) the above-entitled application for consent to the acquisition of control of Teletronics, Inc., by James S. Rivers, and (3) the above-entitled application for consent to the acquisition of control of Sun Coast Broadcasting Corporation by E. D. Rivers, Sr., and

It appearing, that E. D. Rivers, Jr., who holds beneficially all of the issued stock of the proposed corporation, is the controlling stockholder of the licensees of Station WEAS, Decatur, Georgia; WJIV, Savannah, Georgia; and WGOV and WGOV-FM, Valdosta, Georgia; and

It further appearing, that E. D. Rivers, Sr., father of E. D. Rivers, Jr., is the majority stockholder of the licensees of Station WLBS, Birmingham, Alabama, and WOBS, Jacksonville, Florida; and the president, director and a minority stockholder of Timm, Inc., licensee of Stations WGAA and WGAA–FM, Cedartown, Georgia; and

It further appearing, that James S. Rivers, uncle of E. D. Rivers, Jr., is the licensee of Station WMJM, Cordele, Georgia, the controlling partner in the licensee of Station WTJH, East Point, Georgia; and the president, director and a minority stockholder of Teletronics, Inc., permittee of station WACL, Waycross, Georgia; and

It further appearing, that E. D. Rivers, Jr., E. D. Rivers, Sr., and James S. Rivers hold, in the aggregate, the licenses, or majority stock or partnership interests in seven standard broadcast stations; and

It further appearing, that the instant applications, considered in light of the other broadcasting interests of the transferee, raise a serious question as to whether grant of the applications would result in an undue concentration of control of broadcast facilities;

It is ordered, That, pursuant to section 310 (b) of the Communications Act of 1934, as amended, the above-entitled applications be designated for hearing in a consolidated proceeding to be held at Washington, D. C., on October 22, 1951, on the following issues:

1. To determine whether a grant of the instant applications would vest the ownership, management and control of ten standard broadcast stations in persons under common control.

2. To determine, with respect to the seven stations presently controlled by E. D. Rivers, Sr., E. D. Rivers, Jr., and James S. Rivers, and the stations involved in the instant applications, the overlap, if any, that will exist between the service areas of these ten stations, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

3. To determine in light of the evidence adduced under the above issues whether a grant of the instant applications would be in the public interest.

Released: September 13, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–11435; Filed, Sept. 21, 1951; 8:48 a. m.]

[Cuban Notification List No. 2]

CUBAN BROADCAST STATIONS

NOTIFICATION OF CHANGES IN ASSIGNMENTS OF BROADCASTING STATIONS

AUGUST 14, 1951.

Call letters	Location	Power	Antenna	Schedule	Class
		1010 kilocycles			
CMBQ	Havana	25	DA	U	IB
		(provisional operation 5 kw. ND)			
CMZ	do	10	DA	U	IB
		(change to 1560 kc/s)			
		1150 kilocycles			
CMCA	do	10	DA	U	II
CMBQ	do	1N/5D	ND	U	III
		(change to 1010 kc/s)			
		1170 kilocycles			
CMAR	Pinar del Rio	0.25	DA-N	U	II
		(change in location)			
		1560 kilocycles			
CMZ	Havana	10	DA	U	IB
		(provisional operation with 1 kw)			
CMCA	do	10	DA	U	IB
		(change to 1150 kc/s)			

NOTE: The assignments and changes in assignments listed are based upon the list of Cuban stations contained in Annex 3, North American Regional Broadcasting Agreement, Washington, 1950.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE, *Secretary.*

[F. R. Doc. 51–11436; Filed, Sept. 21, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26409]

FINE COAL FROM ILLINOIS AND WESTERN KENTUCKY TO HUMBOLDT, IOWA

APPLICATION FOR RELIEF

SEPTEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for carriers parties to Agent C. A. Spaninger's tariff ICC No. 1224.

Commodities involved: Bituminous coal which has passed through a bar screen not exceeding one and one-half inches between bars, or its equivalent, carloads.

From: Mines in the Belleville, Ill., southern Illinois and western Kentucky groups.

To: Humboldt, Iowa.

Grounds for relief: Circuitous routes, market competition, to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1224, supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed

within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-11425; Filed, Sept. 21, 1951; 8:46 a. m.]

[4th Sec. Application 26410]

FOREIGN WOODS FROM GOODYEAR AND MARION, MISS., AND LAURINBURG, N. C., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff ICC No. 1226.

Commodities involved: Lumber, logs or flitches of foreign woods, dimension stock, built-up woods, and veneer, carloads.

From: Goodyear and Marion, Miss., and Laurinburg, N. C.

To: Points in southern territory.

Grounds for relief: Competition with rail carriers, to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1226, supp. 15.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-11426; Filed, Sept. 21, 1951; 8:46 a. m.]

[4th Sec. Application 26411]

PHOSPHATE ROCK FROM FLORIDA TO HARRISONBURG, VA.

APPLICATION FOR RELIEF

SEPTEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and Southern Railway Company.

Commodities involved: Phosphate rock, ground or not ground, slush and floats (refuse and washings from phosphate rock) and soft phosphate, carloads.

From: Points in Florida.

To: Harrisonburg, Va.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company ICC No. B-3232, supp. 48.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-11427; Filed, Sept. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26412]

PHOSPHATE ROCK FROM FLORIDA TO HATTIESBURG, MISS.

APPLICATION FOR RELIEF

SEPTEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Phosphate rock, ground or not ground, slush and floats (refuse and washings from phosphate rock) and soft phosphate, carloads.

From: Points in Florida.

To: Hattiesburg, Miss.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company tariff ICC No. B-3232, supp. 48.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-11428; Filed, Sept. 21, 1951; 8:47 a. m.]

[4th Sec. Application 26413]

MOTOR-RAIL-MOTOR RATES BETWEEN SPRINGFIELD, MASS., AND HARLEM RIVER, N. Y.

APPLICATION FOR RELIEF

SEPTEMBER 19, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and New York Massachusetts Motor Service, Inc.

Commodities involved: All commodities.

Between: Springfield, Mass., and Harlem River, N. Y.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-11429; Filed, Sept. 21, 1951; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1570, G-1578, G-1657, G-1672, G-1681]

TEXAS GAS TRANSMISSION CORP. ET AL.

NOTICE OF CONTINUANCE OF ORAL ARGUMENT

SEPTEMBER 17, 1951.

In the matters of Texas Gas Transmission Corporation, Docket Nos. G-1570, G-1578 and G-1657; Louisville Gas and Electric Company, Docket No.

G-1672; United Gas Pipe Line Company, Docket No. G-1681.

Upon consideration of request of Counsel for United Mine Workers, et al., filed September 17, 1951, for postponement of the oral argument now scheduled for September 20, 1951, in the above-designated matters;

Notice is hereby given that the oral argument in the above-designated matters be and it is hereby continued to September 24, 1951, at 10:00 a. m., in the Commission's Hearing Room, at 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11414; Filed, Sept. 21, 1951; 8:45 a. m.]

[Docket No. G-1687]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF FINDINGS AND ORDER

SEPTEMBER 18, 1951.

Notice is hereby given that, on September 18, 1951, the Federal Power Commission issued its order, entered September 14, 1951, issuing certificate of public convenience and necessity, in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11413; Filed, Sept. 21, 1951; 8:45 a. m.]

[Docket No. G-1780]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

SEPTEMBER 18, 1951.

Take notice that on August 29, 1951, Montana-Dakota Utilities Co. (Applicant), a Deleware corporation with its principal office in Minneapolis, Minnesota, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of approximately 8.7-miles of 12¾-inch O. D. natural-gas transmission main extending from a point of connection with its Worland line near Lovell, Wyoming, to a point in the Garland Field west of Byron, Wyoming.

Applicant states the proposed 12¾-inch line will replace an existing line consisting of small pipe used for many years to transmit sour gas, and is now in poor condition and must be replaced. Book cost of facilities to be replaced, gross salvage and cost of removal are stated to be $65,910, $23,065 and $9,187, respectively. Estimated cost of construction is $222,480. No new financing is involved and cost of the work will be paid from funds now available to Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of October 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11415; Filed, Sept. 21, 1951; 8:45 a. m.]

[Project No. 2027]

BADLEY INVESTMENT CO.

NOTICE OF ORDER ISSUING LICENSE (MINOR)

SEPTEMBER 18, 1951.

Notice is hereby given that, on June 7, 1951, the Federal Power Commission issued its order, entered June 5, 1951, issuing license (Minor), in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-11412; Filed, Sept. 21, 1951; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2694]

CENTRAL MAINE POWER CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF NOTES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of September A. D. 1951.

Central Maine Power Company ("Central Maine"), a public utility subsidiary of New England Public Service Company, a registered holding company, having filed an application with this Commission, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act"), with respect to the following transactions:

Central Maine proposes to issue or renew from time to time, up to and including November 30, 1951, notes having a maturity of three months or less up to the maximum amount of $7,500,000 at any one time outstanding (including notes outstanding as of July 31, 1951, in the amount of $3,000,000). Each such note, including the renewal notes, will be made payable to The First National Bank of Boston and will bear interest at the rate of 2½ percent per annum, subject to change in interest rates for prime paper. It is stated that the present interest rate for prime paper is 2½ percent. In case the interest rate should exceed 2½ percent on any note, the company will file an amendment to its application stating the rate of interest and other details of the note or notes at least five days prior to the execution and delivery thereof, and asks that such amendment become effective without further order of the Commission at the end of the five day period unless the Commission shall have notified the company to the contrary within said period.

The proceeds from the sale of the notes will be used to finance the company's construction program. The company estimates that expenditures for its construction program for the last five months of 1951 will amount to $8,347,000. It is further estimated that an aggregate of $10,000,000, including the $3,000,000 outstanding as of July 31, 1951, will be required from outside sources through December 31, 1951. The application states that the company intends, prior to November 30, 1951, to issue securities, approximately equally divided between bonds and common stock, to refund the then outstanding short-term notes and to provide additional funds for its construction program. However, it is stated that market conditions may require some variation of this financing.

It is stated that no fees and expenses, other than counsel fees estimated at $350, will be paid in connection with the proposed transactions.

Applicant represents that no regulatory authority, other than this Commission, has jurisdiction over the issuance or renewal of the notes.

Said application having been filed on August 22, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said application within the period of time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied, that the estimated fees are not unreasonable and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application without the imposition of terms and conditions, other than those specified by Rule U-24, and also deeming it appropriate to grant applicant's request that the order become effective upon its issuance:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application be, and the same hereby is, granted, subject to the terms and conditions prescribed by Rule U-24.

It is further ordered, That this order shall become effective upon the issuance thereof.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 51-11440; Filed, Sept. 21, 1951; 8:49 a. m.]

[File No. 70-2697]

NIAGARA MOHAWK POWER CORP.

NOTICE REGARDING PROPOSED SALE OF UTILITY ASSETS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of September A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by Niagara Mohawk Power Corporation ("Niagara Mohawk"), a subsidiary of The United Corporation, a registered holding company. Declarant has designated section 12 (d) of the act and Rule U-44 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than September 27, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after September 27, 1951 said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Niagara Mohawk proposes to sell to Republic Steel Corporation its Troy Coke Oven Gas Plant and certain related equipment, located in the City of Troy, New York, for the sum of $425,000. Niagara Mohawk contemplates that in the near future it will be able to serve with natural gas those areas in its Eastern Division now served with gas manufactured at its Troy Coke Oven Gas Plant. Niagara Mohawk states that when the natural gas is available it will no longer be necessary or desirable or economically sound for it to continue to own or to operate said plant.

The declaration states that Republic Steel Corporation owns and operates a blast furnace adjoining the Troy Coke Oven Gas Plant for the processing of its Adirondack ore and has been the purchaser from Niagara Mohawk of a substantial portion of the coke produced at the gas plant and that no other prospective purchaser has evidenced an interest in acquiring the property.

The declaration further states that the Public Service Commission of the State of New York does not have jurisdiction over the proposed transaction as such except in connection with the accounting entries to be made upon the books of Niagara Mohawk to reflect the transaction.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 51-11439; Filed, Sept. 21, 1951; 8:49 a. m.]

DEPARTMENT OF JUSTICE
Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18468]

ANNY KLIBSCHON

In re: Rights of Anny Klibschon under Insurance Contract. File No. F-28-31644-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anny Klibschon, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. PU-7959 issued by the Prudential Insurance Company of America, Newark, New Jersey, to Anny Klibschon, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anny Klibschon, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11451; Filed, Sept. 21, 1951; 8:50 a. m.]

[Vesting Order 18465]

ANNA MARIE DRESSEL

In re: Rights of Anna Marie Dressel under Insurance Contract. File No. F-28-17636-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Marie Dressel whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 1695 G Serial 1600 issued by the Metropolitan Life Insurance Company, New York, New York to Fritz Dressel, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to; or which is evidence of ownership or control by, Anna Marie Dressel, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11448; Filed, Sept. 21, 1951; 8:50 a. m.]

[Vesting Order 18466]

CLARA DRESSEL

In re: Rights of Clara Dressel under Insurance Contract. File No. F-28-6751-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Clara Dressel whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 1695 G Serial 3508 issued by the Metropolitan Life In-

surance Company, New York, New York to Oscar Dressel, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Clara Dressel, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11449; Filed, Sept. 21, 1951; 8:50 a. m.]

[Vesting Order 18467]

ALMA BAHRDT EMMERICH

In re: Estate of Alma Bahrdt Emmerich. File No. D-28-13055; E. T. Sec. No. 17176.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alma Bahrdt Emmerich, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all the property and estate of Alma Bahrdt Emmerich in the possession, custody or control of The Pennsylvania Company for Banking and Trusts as guardian of the estate of Alma Bahrdt Emmerich, subject, however, to all lawful fees, charges of, and disbursements by said The Pennsylvania Company for Banking and Trusts as guardian of the estate of Alma Bahrdt Emmerich, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by The Pennsylvania Company for Banking and Trusts, as guardian, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof, is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11450; Filed, Sept. 21, 1951; 8:50 a. m.]

[Vesting Order 18469]

KARL LUDWIG KROIER ET AL.

In re: Rights of Karl Ludwig Kroier, et al. under Insurance Contracts. File Nos. F-28-27115-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Ludwig Kroier and Barbara Kroier, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered 205329 and 205330 issued by the West Coast Life Insurance Company, San Francisco, California, to Karl Ludwig Kroier, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contracts of insurance except those of the aforesaid West Coast Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11452; Filed, Sept. 21, 1951; 8:50 a. m.]

[Vesting Order 18470]

JOACHIM KUNKEL ET AL.

In re: Rights of Joachim Kunkel, et al. under Insurance Contracts. Files Nos. F-28-26680-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joachim Kunkel and Hilde Kunkel, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered 203537 and 204952 issued by the West Coast Life Insurance Company, San Francisco, California, to Joachim Kunkel, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract or insurance except those of the aforesaid West Coast Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11453; Filed, Sept. 21, 1951; 8:50 a. m.]

[Vesting Order 18471]

ALBERT HENRY LUEDERS ET AL.

In re: Rights of Albert Henry Lueders, et al. under Insurance Contracts. Files Nos. F-28-26664-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Albert Henry Lueders and Jenny Carrie Siemssen Lueders, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered 204369 and 204476 issued by the West Coast Life Insurance Company, San Francisco, California, to Albert Henry Lueders, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid West Coast Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11454; Filed, Sept. 21, 1951; 8:51 a. m.]

[Vesting Order 18472]

RIYOSHIN OKANO AND YONETOSHI OKANO

In re: Rights of Riyoshin Okano and of Yonetoshi Okano under Insurance Contract. File No. D-39-18040-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Riyoshin Okano and Yonetoshi Okano, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 382505 issued by the California-Western States Life Insurance Company, Sacramento, California, to Riyoshin Okano, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid California-Western States Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Riyoshin Okano or Yonetoshi Okano, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11455; Filed, Sept. 21, 1951; 8:51 a. m.]

[Vesting Order 18473]

KUMAKI OYAMA AND SUEO OYAMA

In re: Rights of Kumaki Oyama and Sueo Oyama under Industrial Pension Plan of the Standard Oil Company of California. File No. F-9-2286-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kumaki Oyama and Sueo Oyama, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due Kumaki Oyama and Sueo Oyama under the Industrial Pension Plan of the Standard Oil Company of California, whereby said Kumaki Oyama is entitled to annuity pension payments for life and Sueo Oyama is entitled to survivorship payments for life, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is controlled by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11456; Filed, Sept. 21, 1951; 8:51 a. m.]

[Vesting Order 18474]

ILSE REINHARDT ET AL.

In re: Rights of Ilse Reinhardt, Sybil Reinhardt and Gisela Reinhardt under Insurance Contract. File No. D-28-465-H-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to

law, after investigation, it is hereby found:

1. That Ilse Reinhardt, Sybil Baudry (nee Reinhardt), and Gisela Truxa (nee Reinhardt) on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, have been residents of Germany and are nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 637472 issued by the Phoenix Mutual Life Insurance Company, Hartford, Connecticut, to Walther L. Reinhardt, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy County (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11457; Filed, Sept. 21, 1951; 8:51 a. m.]

[Vesting Order 18475]

ILSE REINHARDT ET AL.

In re: Rights of Ilse Reinhardt, wife, and children of Walther L. Reinhardt and Ilse Reinhardt (Sybil and Gisela) under Insurance Contract. File No. D-28-465-H-4.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ilse Reinhardt, Sybil Baudry (nee Reinhardt), and Gisela Truxa (nee Reinhardt) on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, have been residents of Germany and are nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 684156 issued by the Provident Mutual Life Insurance Company of Philadelphia, Philadelphia, Pennsylvania, to Walther L. Reinhardt, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11458; Filed, Sept. 21, 1951; 8:51 a. m.]

[Vesting Order 18476]

ILSE REINHARDT ET AL.

In re: Rights of Ilse Reinhardt, wife of Walther Ludwig Reinhardt, and of their two daughters, Sybille and Gisela, under Insurance Contracts. Files Nos. D-28-465-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ilse Reinhardt, Sybille Baudry (nee Reinhardt), and Gisela Truxa (nee Reinhardt) on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, have been residents of Germany and are nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered B12616 and B12617 issued by The Canada Life Assurance Company, Toronto, Canada, to Walther Ludwig Reinhardt, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11459; Filed, Sept. 21, 1951; 8:52 a. m.]

[Vesting Order 18477]

FRED G. ROCK ET AL.

In re: Fred G. Rock v. Carl Rock, et al. (Estate of Ludwig Rock, deceased) File No. D-28-12995—E&T No. 17124.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz Siebert, Otto Siebert, Maria Meier, and Louise Lambrecht, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. All right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1

hereof, and each of them, in and to the proceeds of the real property which is the subject matter of the partition suit entitled Fred G. Rock v. Carl Rock, et al., in the District Court of Woodbury County, Iowa;

b. All right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the rentals and other income derived from, on account of, the real property aforesaid, together with all rights to demand, collect and enforce the same,

is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11460; Filed, Sept. 21, 1951; 8:52 a. m.]

[Vesting Order 18478]

MARY SCHAEFFAUER

In re: Rights of Mary Schaeffauer under Insurance Contract. File No. F-28-31646-H-1.

Under the authority of the Trading With the Enemy Act; as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mary Schaeffauer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. PU 40060 issued by the Prudential Insurance Company of America, Newark, New Jersey, to Karl K. Schaeffauer, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mary Schaeffauer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11461; Filed, Sept. 21, 1951; 8:52 a. m.]

[Vesting Order 18479]

JAKOB SCHIERLINGER

In re: Rights of Jakob Schierlinger under Insurance Contract. File No. F-28-31507-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Jakob Schierlinger, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 66831334 issued by the Prudential Insurance Company of America, Newark, New Jersey, to Rosa J. Schierlinger, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Jakob Schierlinger, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11462; Filed, Sept. 21, 1951; 8:52 a. m.]

[Vesting Order 18480]

WILLIAM SCHLITZ

In re: Rights of William Schlitz under Insurance Contract. File No. F-28-22706-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That William Schlitz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 12 373 631 issued by the New York Life Insurance Company, New York, New York, to Wiliam Schlitz, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company, and of Charlotte Schlitz, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by William Schlitz, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11463; Filed, Sept. 21, 1951; 8:52 a. m.]

[Vesting Order 18482]

TEODORO C. BARTH AND HERBERT A. BRAUN

In re: Bank account owned by Teodoro C. Barth, also known as Teodoro Carlos Barth, and Herbert A. Braun, also known as Herbert Braun. F-63-4760; E-1, F-28-817, F-28-2055.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, Executive Order 9788, and Executive Order 9989, and pursuant to law, after investigation, it is hereby found:

1. That Teodoro C. Barth, also known as Teodoro Carlos Barth, is a citizen of Germany who, since the effective date of Executive Order 8389, as amended, has acted or purported to act directly or indirectly for the benefit of or under the direction of an enemy country (Germany), and is a national of a designated enemy country (Germany);

2. That Herbert A. Braun, also known as Herbert Braun, is a citizen of Germany who, since the effective date of Executive Order 8389, as amended, has acted or purported to act directly or indirectly for the benefit of or under the direction of an enemy country (Germany), and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, arising out of a checking account entitled Irmgard Koehn Separate A/C, maintained at said Bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Teodoro C. Barth, also known as Teodoro Carlos Barth, and Herbert A. Braun, also known as Herbert Braun, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That Teodoro C. Barth, also known as Teodoro Carlos Barth, and Herbert A. Braun, also known as Herbert Braun, are controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany).

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interests of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11465; Filed, Sept. 21, 1951; 8:53 a. m.]

[Vesting Order 18481]

FRITZ JOACHIM SCHMIDT ET AL.

In re: Rights of Fritz Joachim Schmidt, et al. under Insurance Contract. File No. F-28-27973-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz Joachim Schmidt and Mary Schmidt, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1021273 issued by the Occidental Life Insurance Company of California, Los Angeles, California, to Fritz Joachim Schmidt, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Occidental Life Insurance Company of California, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11464; Filed, Sept. 21, 1951; 8:52 a. m.]

[Vesting Order 18483]

P. BEIERSDORF & CO. A. G.

In re: Debt owing to P. Beiersdorf & Co. A. G. F-28-275.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That P. Beiersdorf & Co., A. G., the last known address of which is Eidelstedterweg 48, Hamburg, Germany, is a corporation organized under the laws of Germany which has or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to P. Beiersdorf & Co., A. G. by P. Beiersdorf & Co., Inc., New York, New York, in the amount of $58,500 and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof, is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11466; Filed, Sept. 21, 1951; 8:53 a. m.]

[Vesting Order 18484]

SCHERING S. A. PORTUGUESA

In re: Bank account owned by Schering S. A. Portuguesa, also known as Schering Portuguesa, Ltda. F-56-41.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Schering, A. G., the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Schering S. A. Portuguesa, also known as Schering Portuguesa, Ltda., is a corporation organized under the laws of Portugal, whose principal place of business is located in Lisbon, Portugal, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or a substantial part of the stock of which is or, since such date, has been owned or controlled, directly or indirectly, by the aforesaid Schering A. G., and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, arising out of a bank deposit entitled Maria Teresa Pereira, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Schering S. A. Portuguesa, also known as Schering Portuguesa, Ltda, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That Schering S. A. Portuguesa, also known as Schering Portuguesa, Ltda., is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national or a designated enemy country (Germany);

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11467; Filed, Sept. 21, 1951; 8:53 a. m.]

[Vesting Order 18485]

WERNER SEEHAUSEN ET AL.

In re: United States currency and coin and other property owned by Werner Seehausen, and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the Bank Deutscher Laender, Frankfurt/Main, Germany, on or about August 7, 1951, shipped to the Federal Reserve Bank of New York, United States currency and coin in the aggregate amount of $1,675.53, one Canadian dime and American Express Company travelers check No. 8796224 in the amount of $20.00, all of which property had been released by the French High Commissioner for Germany for the purpose of such shipment;

2. That Werner Seehausen, Anton Heinrich and Maria Antes, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

3. That Maschinenfabrik Augsburg Nuernberg A. G., the last known address of which is Germany, is a corporation organized under the laws of Germany and which has, or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

4. That the persons referred to in subparagraph 7 hereof, who, if individuals, there is reasonable cause to believe are residents of Germany and, which, if partnerships, corporations, associations or other organizations, there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

5. That the property described as follows: United States currency and coin in the aggregate amount of $477.50 shipped on or about August 7, 1951, by the Bank Deutscher Laender, Frankfurt/Main, Germany, to the Federal Reserve Bank of New York and presently in the custody of the Federal Reserve Bank of New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by a designated enemy country (Germany);

6. That the property described as follows: United States currency and coin in the aggregate amount of $684.50 shipped on or about August 7, 1951, by the Bank Deutscher Laender, Frankfurt/Main, Germany, to the Federal Reserve Bank of New York and presently in the custody of the Federal Reserve Bank of New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Werner Seehausen, Anton Heinrich, Maria Antes and Maschinenfabrik Augsborg Nuernberg A. G., the aforesaid nationals of a designated enemy country (Germany) in the respective amounts of $60.00, $486.50, $71.00 and $67.00;

7. That the property described as follows:

a. United States currency and coin in the aggregate amount of $513.53 and one Canadian dime shipped on or about August 7, 1951 by the Bank Deutscher Laender, Frankfurt/Main, Germany, to the Federal Reserve Bank of New York, and presently in the custody of the Federal Reserve Bank of New York, and

b. Funds in the amount of $20.00 presently in the custody of the Federal Reserve Bank of New York representing the proceeds of American Express Company travelers check No. 8796224, shipped on or about August 7, 1951, by the Bank Deutscher Laender, Frankfurt/Main, Germany, to the Federal Reserve Bank of New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by the persons referred to in subparagraph 4 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

8. That to the extent that the persons named in subparagraphs 2 and 3 hereof and the persons referred to in subparagraph 4 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealth with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11468; Filed, Sept. 21, 1951; 8:53 a. m.]

[Vesting Order 18486]

ZENZIRO WAKANO

In re: Voting Trust Certificate owned by Zenziro Wakano. F-39-4664-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Zenziro Wakano, whose last known address is 204 Yoshiwara, Matsubara-mura, Hidaka-gun, Wakayama Pref., Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: All rights in and under one (1) Voting Trust Certificate for twenty (20) shares of $1.00 par value, Class B, capital stock of Missouri-Kansas Pipe Line Company, 120 Broadway, New York 5, New York, a corporation organized under the laws of the State of Delaware, said certificate bearing the number CVO2246, and presently in the custody of the aforesaid Missouri-Kansas Pipe Line Company,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11469; Filed, Sept. 21, 1951; 8:53 a. m.]

[Vesting Order 18487]

DEN DANSKE LANDMANDSBANK

In re: Accounts maintained in the name of Den Danske Landmandsbank Copenhagen, Denmark, and owned by persons whose names are unknown. F-19-314.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock, in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in the set forth Exhibit A, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Den Danske Landmandsbank, Copenhagen, Denmark]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights, and interests in the account as of Oct. 2, 1950, excluded from this vesting order [1]
1. The National City Bank of New York, 55 Wall St., New York 5, N. Y.	Current uncertified account, as described by The National City Bank of New York in its report on Form OAP-700, bearing its Serial No. 148.	$3,016.74 which, according to information from the Danish Embassy, is claimed by Emil Gutfreund, Timiscara, Romania; $6,350.72 which, according to information from the Danish Embassy, is claimed by Pester Ungarische Commercial Bank, Budapest, Hungary; $7,296.00 which, according to information from the Danish Embassy, is claimed by Emeric Spitzer, Timiscara, Romania.
2. Brown Bros., Harriman & Co., 59 Wall St., New York 5, N. Y.	Den Danske Landmandsbank, Copenhagen, blocked account, as described by Brown Bros., Harriman & Co. in its report on Form OAP-700, bearing its Serial No. 40.	

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950 and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in column III or excluded under (a) of this footnote.

[F. R. Doc. 51-11470; Filed, Sept. 21, 1951; 8:53 a. m.]

[Vesting Order 18490]

HICHIRO KOBAYASHI

In re: Interest in business enterprise and other property owned by Hichiro Kobayashi. D-39-72, D-39-17072; E1, F-39-3472; A-1; B-1; C-1; E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hichiro Kobayashi, whose last known address is Sugara-machi, Otaku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. An undivided two twenty-firsts (2/21sts) interest in and to the business and assets of that certain joint venture established and doing business under the laws of the Territory of Hawaii, under the name of Kobayashi Hotel, 250 North Beretania Street, Honolulu, T. H., together with all undistributed profits arising out of the operation of, and held by said joint venture for the account of Hichiro Kobayashi,

b. An undivided two twenty-firsts (2/21sts) interest in those certain shares of stock evidenced by the certificates described in Exhibit A, set forth below and by reference made a part hereof, together with a two twenty-firsts (2/21sts) interest in any and all declared and unpaid dividends thereon,

c. That certain debt or other obligation of Yokohama Specie Bank, Ltd., P. O. Box 1200, Honolulu, T. H., arising out of a savings account, Account Number 11058, entitled "T. Nishi, Guardian Kobayashi Minors", identified on the records of the aforesaid bank as Receiver's Liability No. 2008, and any and all rights to demand, enforce and collect the same.

d. That certain debt or other obligation of State Savings and Loan Association, 239 Merchant Street, Honolulu, T. H., arising out of a savings account, Account Number 3340, entitled "Tsutomu Nishi, Trustee for Hichiro Kobayashi", maintained with the aforesaid association, and any and all rights to demand, enforce and collect the same, and

e. An undivided one-seventh (1/7th) interest in real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit B, set forth below and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, profits, prepaid insurance premiums or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Hichiro Kobayashi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a through 2-d hereof, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-e hereof, subject to all recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name and address of issuer	Class of stock	Par value	Registered owner	Certificate No.	Number of shares
Honolulu Sake Brewery & Ice Co., Ltd., Honolulu, T. H.	Common	$5.00	K. Kobayashi	46	200
				176	40
Pacific Bank Ltd. (in dissolution), Honolulu, T. H.	Capital	50.00	Kinjiro Kobayashi Estate.	221	25
Honolulu Trust Co., Ltd., Honolulu, T. H.	do		Kinjiro Kobayashi	264	15

EXHIBIT B

All of that certain parcel of land (portions of the land described in Royal Patent Number 2092, Land Commission Award Number 837 to Ihuula, Royal Patent Number 1948, Land Commission Award Number 4677 to Puuaalki and all of the land described in Land Patent Grant Number 4593 to Frank Pahia), situate, lying and being at Aala, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at a point on the mauka line of Beretania Street, North 39°55'30" West, 189.5 feet from the North corner of Beretania Street and College walk and running as follows:

N. 49°40', E. 48 feet;
N. 41°30', E. 32.3 feet;
N. 65°10', E. 43 feet;
N. 12°40', E. 150.3 feet;
N. 81°10', W. 111 feet
S. 6°, W. 39.8 feet;
S. 27°50', W. 84 feet;
N. 71°00', W. 25 feet;
S. 49°10', W. 47.2 feet to Beretania Street;
S. 39°55'30", E. 131 feet to initial point.

Containing an area of 26,600 square feet, or thereabouts.

[F. R. Doc. 51-11473; Filed, Sept. 21, 1951; 8:53 a. m.]

RENE ALPHONSE DUFOUR

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No. and Property

Rene Alphonse Dufour, Paris, France; Claim No. 29403; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 1,735,161; 1,805,469 and 2,070,475.

Executed at Washington, D. C., on September 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-11474; Filed, Sept. 21, 1951; 8:54 a. m.]